

MEMORANDUM

TO: Docket Control

FROM: Elijah O. Abinah 
Director
Utilities Division

DATE: September 25, 2019

RE: INVESTIGATION AND COMPREHENSIVE REVIEW OF THE
COMMISSION'S DISCONNECTION RULES AND THE DISCONNECTION
POLICIES OF PUBLIC SERVICE CORPORATIONS (DOCKET NO. E-00000A-
19-0128)

SUBJECT: **REVISED** PROPOSED MODIFICATIONS TO ARIZONA ADMINISTRATIVE
CODE

On August 30, 2019, the Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") filed its proposed modifications to the Arizona Administrative Code ("A.A.C.") regarding the provisions of service, termination of service, and administrative reporting requirements. Attached are Staff's revisions to its proposed modifications based upon the comments received in the docket to date.

Staff has scheduled the only workshop to discuss these proposed modifications on September 30, 2019 to begin at 10:00 a.m.

EOA:CLA:elr/

Originator: Candrea Allen

**TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS;
SECURITIES REGULATION**

CHAPTER 2. CORPORATION COMMISSION - FIXED UTILITIES

ARTICLE 2. ELECTRIC UTILITIES

- R14-2-201. Definitions
- R14-2-208. Provision of Service
- R14-2-211. Termination of Service
- R14-2-212. Administrative and Hearing Requirements

ARTICLE 3. GAS UTILITIES

- R14-2-301. Definitions
- R14-2-308. Provision of Service
- R14-2-311. Termination of Service
- R14-2-312. Administrative and Hearing Requirements

ARTICLE 4. WATER UTILITIES

- R14-2-401. Definitions
- R14-2-407. Provision of Service
- R14-2-410. Termination of Service
- R14-2-411. Administrative and Hearing Requirements

ARTICLE 5. TELEPHONE UTILITIES

- R14-2-501. Definitions
- R14-2-507. Provision of Service
- R14-2-509. Termination of Service
- R14-2-510. Administrative and Hearing Requirements

ARTICLE 6. SEWER UTILITIES

- R14-2-601. Definitions
- R14-2-607. Provision of Service
- R14-2-609. Termination of Service
- R14-2-610. Administrative and Hearing Requirements

ARTICLE 2. ELECTRIC UTILITIES

R14-2-201. Definitions

In this Article, unless the context otherwise requires, the following definitions shall apply. In addition, the definitions contained in Article 16, Retail Electric Competition, shall apply in this Article unless the context otherwise requires.

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. No change
11. No change
12. No change
13. No change
14. ~~"Elderly." A person who is 62 years of age or older.~~
- 15, 14. No change
16. ~~"Handicapped." A person with a physical or mental condition which substantially contributes to the person's inability to manage his or her own resources, carry out activities of daily living, or protect oneself from neglect or hazardous situations without assistance from others.~~
17. ~~"Illness." A medical ailment or sickness for which a residential customer obtains a verified document from a licensed medical physician stating the nature of the illness and that discontinuance of service would be especially dangerous to the customer's health.~~
- 18, 15. "Inability to pay." Circumstances where means a circumstance under which a residential customer:
 - a. Cannot pay the full balance of the customer's monthly bill;
 - b. Has signed a declaration and, if requested, has provided documentation issued by an Arizona or U.S. governmental agency or a licensed medical practitioner verifying that the customer:
 - i. Is at least 62 years of age;
 - ii. Has a physical or mental condition that substantially limits the customer's ability to manage resources, carry out activities of daily living, or secure protection from neglect or hazardous situations without assistance from others; or
 - iii. Has a medical condition that makes termination of electric service especially dangerous to the customer's health; and
 - c. Meets one of the following:

- a. i. Is not gainfully employed and unable to pay, as verified by documentation issued by the Arizona Department of Economic Security or the Arizona Department of Revenue;
- b. ii. Qualifies for monetary government welfare assistance, as verified by documentation issued by the Arizona Department of Economic Security or the U.S. Social Security Administration, but has not yet begun to receive assistance on the date that he receives his bill and can obtain verification of that fact from the government welfare assistance agency; or
- c. iii. Has an annual income below the published federal poverty level and can produce evidence of this, and, as verified by documentation issued by the Arizona Department of Revenue or the U.S. Internal Revenue Service.
- d. Signs a declaration verifying that the customer meets one of the above criteria and is either elderly, handicapped, or suffers from illness.

19.16. No change

20.17. No change

21.18. No change

19. "Licensed medical practitioner" means one of the following health care providers, actively licensed to practice in Arizona:

a. An allopathic or osteopathic physician.

b. A registered nurse practitioner, or

c. A physician assistant.

22.20. No change

23.21. No change

24.22. No change

25.23. No change

26.24. No change

27.25. No change

28.26. No change

29.27. No change

30.28. No change

31.29. No change

32.30. No change

33.31. No change

34.32. No change

35.33. No change

36.34. No change

37.35. No change

- ~~38-36.~~ No change
- ~~39-37.~~ "Service reconnect charge." ~~The~~ means the charge as specified in the a utility's tariffs which that must be paid by ~~the a~~ customer prior to reestablishment of electric service each time the customer's electricity electric service is disconnected terminated for nonpayment or ~~whenever service is discontinued~~ for failure otherwise to comply with the utility's tariffs.
- ~~40-38.~~ "Service reestablishment charge." A means the charge as specified in the a utility's tariffs for that must be paid to reinitiate service at the same location where the same customer had ordered a service ~~disconnection~~ termination within the preceding 12-month period.
- ~~41-39.~~ No change
- ~~42-40.~~ No change
- ~~43-41.~~ No change
- ~~44-42.~~ "Third party notification." A "Third party" means notice sent to an individual or a public entity a person willing to receive notification of ~~the a~~ customer's pending ~~discontinuance~~ termination of service of ~~a customer of record in order and~~ to make arrangements on behalf of said the customer ~~satisfactory to the utility to prevent termination of service.~~
- ~~45-43.~~ No change
- ~~44.~~ "Terminate" or "Termination" means ~~discontinue or discontinuance~~ of electric service to a customer's premises, by intentional action of the utility, and is synonymous with "disconnect" or "disconnection" as used in this Article.
- ~~46.~~ "Weather especially dangerous to health." ~~That period of time commencing with the scheduled termination date when the local weather forecast, as predicted by the National Oceanographic and Administration Service, indicates that the temperature will not exceed 32 degrees Fahrenheit for the next day's forecast. The Commission may determine that other weather conditions are especially dangerous to health as the need arises.~~

R14-2-208. Provision of Service

- A. No change
1. No change
 2. No change
 3. No change
- B. No change
1. No change
 2. No change
 3. No change
 4. No change
 5. No change
- C. No change
1. No change

2. No change

3. No change

D. Service interruptions

1. No change

2. No change

3. No change

4. When a utility plans to interrupt service for more than four hours to perform necessary repairs or maintenance, the utility shall attempt to inform affected customers, at least 2448 hours in advance, of the scheduled date and estimated duration of the service interruption. Such A utility shall complete repairs shall be completed in the shortest possible time to minimize the inconvenience to the customers of the utility.

5. The A utility shall notify the Commission, Consumer Services Section, shall be notified of any interruption in service affecting the entire system or any significant portion thereof, as follows:

a. The interruption of service and cause shall be reported by telephone to the Commission. By telephone or by submitting an Outage Report Form through the Commission's website, within two hours as soon as practicable after the responsible representative of the utility becomes aware of said the interruption; and

b. If the notice is made by telephone, by submitting a follow-up followed by a written report to the Commission, Consumer Services Section, within 24 hours after the initial notice.

6. A utility's notification made under subsection (D)(5) shall include at least the following:

a. The name of the utility and of the responsible representative making the report,

b. The telephone number of the responsible representative,

c. The locations and number of customer connections affected by the outage,

d. The substations and feeders involved in the outage,

e. The start and end times of the outage,

f. The duration of the outage, and

g. The cause of the outage.

E. No change

F. No change

1. No change

2. No change

R14-2-211. Termination of Service

A. Nonpermissible reasons to disconnect. Restrictions on termination of service; recordkeeping and repayment requirements A utility may not disconnect service for any of the reasons stated below:

1. Delinquency A utility shall not terminate service to a customer due to delinquency in payment for services rendered to a prior customer at the premises where service is being provided, except in the instance where unless the prior customer continues to reside on the premises.

2. ~~Failure of the customer~~ A utility shall not terminate service to a customer due to the customer's failure to pay for services or equipment which ~~that~~ are not regulated by the Commission.
3. ~~Nonpayment~~ A utility shall not terminate service to a customer due to the customer's nonpayment of a bill related to another class of service.
4. ~~Failure~~ A utility shall not terminate service to a customer due to the customer's failure to pay for the portion of a bill imposed to correct a previous underbilling due to an inaccurate meter or meter failure, provided that if the customer agrees to pay the portion of the bill attributable to correction of underbilling in full over a reasonable period of time months established by the utility.
5. A utility shall not terminate residential service where the to a customer who has an inability to pay if the customer can establish, on an annual basis, through documentation from a licensed medical practitioner:
 - a. ~~The customer can establish through medical documentation that~~ That, in the opinion of a the licensed medical physician practitioner, termination would be especially dangerous to the health of a the customer or a permanent resident residing on the customer's premises, or
 - b. ~~Life~~ That there is medically-necessary equipment used in the home that is dependent on utility service for operation of such apparatus, or
 - c. ~~Where weather will be especially dangerous to health as defined or as determined by the Commission.~~
6. ~~Residential service to ill, elderly, or handicapped persons~~ A utility shall not terminate residential service to a customer who have has an inability to pay will not be terminated until the utility has complied with subsection (D) and completed all of the following have been attempted:
 - a. The utility has informed the customer has been informed of the availability of funds from various government and social assistance agencies of which the utility is aware: and provided the customer the contact information for those agencies;
 - b. A If a third party has previously been designated by the customer to receive delinquency and termination information, the utility has notified the third party has been notified and has not made arrangements to pay the outstanding utility bill: that the customer's bill is delinquent and allowed the third party three days to make arrangements to pay the delinquent utility bill, after which the delinquent bill has not been paid;
 - c. At least 48 hours before the date upon which termination would occur, the utility has:
 - i. Notified the customer or an adult resident of the premises in person at the address where service is provided, or
 - ii. Made at least two efforts for in-person contact, at the customer's residence, during each of which the utility has posted written notices in two conspicuous locations at the residence, such as on a front door and on or next to a garage door or carport

door. In-person contact may include engaging in conversation via telephone with the customer.

- d. The utility shall not be required to perform an in-person visit with a customer who has previously threatened the utility or its employee. The utility shall maintain documentation of all threatening occurrences.
- e. After completing the requirements of subsections (A)(6)(a) through (c), the utility has telephoned the customer to provide notice of the termination by speaking to the customer or an adult resident of the premises or by leaving a voice message.
- 7. A utility shall retain for three years records demonstrating its compliance with subsection (A)(6).
- 7.8. A utility may require a customer utilizing the provisions of whose service is not terminated under subsection (A)(4) or (A)(5) ~~above may be required~~ to enter into a deferred payment agreement with the utility within 10 days after the ~~scheduled termination date~~ on which service otherwise would have been terminated.
- 8.9. ~~Disputed bills where~~ A utility shall not terminate service due to a customer's failure to pay the disputed portion of a bill if the customer has complied with the Commission's rules on customer bill disputes R14-2-212(B).
- 10. A utility shall not terminate residential service to a customer if the local weather forecast, as predicted by the National Weather Service, indicates that during the next five days the weather in the area of the customer's service address:
 - a. Will include temperatures that do not exceed 32° F;
 - b. Will include temperatures that exceed 105° F; or
 - c. Will include other weather conditions that the Commission has determined, by order, are especially dangerous to health.
- 11. If a utility would have terminated a customer's service but for subsection (A)(10), the utility shall:
 - a. Immediately notify the customer, using the customer's preferred method of communication on file, of:
 - i. The reason the utility is not permitted to disconnect service,
 - ii. The expected date on which termination of service will be permissible, and
 - iii. The customer's responsibilities under subsection (G);
 - b. Not impose any late fees or interest on any past due amounts that otherwise would have accrued while weather conditions fall within subsection (A)(10); and
 - c. Require the customer, within 15 days after weather conditions no longer fall within subsection (A)(10), either to pay the delinquent bill in full or to enter into a payment plan to repay the delinquent bill through installments over a period of four months.
- 12. A utility shall not terminate residential service to a customer unless the utility's call centers and office or business facilities are open and available to the public on the day of termination and the day following the day of termination.

13. A utility shall not terminate residential service to a customer if the customer has paid at least half of the customer's delinquent bill balance within the last 25 days or if the customer's delinquent bill balance is less than or equal to \$75.00.

14. If a customer has a deposit with the utility, the utility shall use the deposit to pay any delinquent amount on the customer's account before terminating service and shall allow the customer time to repay the deposit in installments over a period of four months.

B. Termination of service without notice; recordkeeping requirement

1. In a competitive marketplace, if a customer's account with the an Electric Service Provider cannot order a disconnect becomes delinquent, the Electric Service Provider may not terminate service to the customer for nonpayment but can only may send a notice of contract cancellation to the customer and the Utility Distribution Company.

2. Utility service may be disconnected A utility may terminate service to a customer's premises without advance written notice under the following conditions if:

a. The existence of Failure to terminate service would result in an obvious hazard to the safety or health of the consumer customer, or the general population, or the utility's personnel or facilities;

b. The utility has evidence of meter tampering or fraud related to the customer or the customer's premises; or

c. Failure of a The customer has failed to comply with the curtailment procedures imposed by a the utility during supply shortages.

2.3. The A utility that has terminated service under subsection (B)(2) shall not be required to restore service until the conditions which situation that resulted in the termination have has been corrected to the satisfaction of the utility.

3.4. Each A utility shall maintain a record of all terminations of service without notice. This record shall be maintained for a minimum of one year and shall be available for inspection by the Commission.

5. The provisions of R14-2-211(A)(6) shall not apply to this subsection.

C. Termination of service with notice

1. In a competitive marketplace, if a customer's account with an Electric Service Provider becomes delinquent, the Electric Service Provider cannot order a disconnect for nonpayment may not terminate service to the customer but can only may send a notice of contract cancellation to the customer and the Utility Distribution Company.

2. Except as provided in subsection (A), A a utility may disconnect terminate service to any customer a customer's premises for any of the following reasons, reason stated below provided that the utility has met complied with the notice requirements established by the Commission of subsection (D):

a. Customer violation of any of the utility's tariffs or of the Commission's rules,

b. Failure of the customer to pay a delinquent bill for utility service,

c. Failure of the customer to meet or maintain the utility's deposit requirements,

- d. Failure of the customer to provide the utility reasonable access to its equipment and property,
- e. Customer breach of a written contract for service between the utility and customer,
- f. When necessary for the utility to comply with an order of any governmental agency having such jurisdiction, or
- g. Unauthorized resale of equipment or service by the customer.

~~2-3.~~ Each A utility shall maintain a record of all terminations of service with notice. This record shall be maintained for one year and shall be available for Commission inspection.

D. Termination notice requirements; disputes

1. No At least 10 days before a utility shall terminate terminates service to any of its customers a customer's premises under subsection (C), the utility shall provide the customer without providing advance written notice to the customer of the utility's intent to disconnect terminate service, except under those conditions specified where advance written notice is not required using the customer's preferred method of communication on file.
2. Such A utility shall include at least advance written notice shall contain, at a minimum, the following information in an advance notice required under subsection (D)(1):
 - a. The name of the person customer whose service is to be terminated and the address where service is being rendered;
 - b. If service is to be terminated because the customer has violated a utility tariff or Commission rule, the name of the utility tariff or Commission rule violated and an explanation of the violation;
 - b-c. The utility tariff that was violated and explanation thereof or If service is to be terminated because the customer has failed to pay a delinquent bill for utility service, the amount of the bill which the customer has failed to pay in accordance with the payment policy of the utility, if applicable, and the date payment was due;
 - d. If service is to be terminated because the customer has failed to meet or maintain the utility's deposit requirements, the amount the customer has on deposit and the amount the customer is required to have on deposit;
 - e. If service is to be terminated because the customer has failed to provide the utility reasonable access to its equipment and property, a description of the access required and a description, including dates, of the customer's failure to provide access;
 - f. If service is to be terminated because the customer has breached a written contract for service between the customer and the utility, identification of the contract provision breached and a description of the circumstances constituting a breach;
 - g. If service is to be terminated because the termination is necessary for the utility to comply with an order of any governmental agency having such jurisdiction, a description and, if possible, a copy of the order;

- h. If service is to be terminated because the customer has engaged in unauthorized resale of equipment or service, a description of the circumstances, including dates, constituting such resale;
 - e-i. The date on or after which service may be terminated;
 - d-j. A statement advising the customer to contact the utility at a specific address or phone number ~~for to receive~~ information regarding any deferred payment program or other procedures ~~which~~ the utility may offer, or to work out ~~some other~~ a mutually agreeable solution to avoid termination of the customer's service; and
 - e-k. A ~~statement advising the customer that~~ A description of the requirements of subsection (D)(3), along with the specific address or phone number for the customer to call to raise a dispute.
3. A utility shall ensure that a customer is afforded the right to dispute the utility's stated reason for the termination of services ~~may be disputed~~, in accordance with the following:
- a. A utility shall maintain a specific address or phone number for customers to use to raise a dispute with the utility;
 - b. To dispute a utility's reason for termination, a customer shall ~~by contacting~~ contact the utility at a the specific address or phone number, before the scheduled date of termination, advising the utility of the dispute and making arrangements requesting to discuss the cause for termination with a responsible employee of the utility ~~in advance of the scheduled date of termination~~ ;
 - c. The ~~If~~ If a customer raises a dispute, a utility shall ensure that a responsible employee shall be of the utility, who is empowered to resolve the customer's dispute, and discusses the cause for termination with the customer before the scheduled termination date;
 - d. ~~the If~~ If a utility shall ~~retain the option to~~ determines after discussion with a disputing customer terminate service after affording this opportunity for a meeting and concluding that the reason for termination is just, the utility may terminate service to the customer, unless prohibited by subsection (A); and
 - e. If a utility decides to terminate service to a disputing customer as permitted in subsection (D)(3)(d), the utility advising shall inform the customer of the termination and of his the customer's right to file a complaint with the Commission.
- 3.4. ~~Where applicable~~ If a customer has designated a third party for the customer's account, a utility shall ensure that a copy of the each termination notice will be provided to the customer is simultaneously forwarded sent to the designated third parties party.

E. Timing of terminations with notice

- 1. Each ~~A~~ A utility shall ~~be required to give~~ provide the advance notice required by subsection (D)(1) at least five days' advance written notice prior to the termination date by providing a copy of the advance notice to the customer, using the customer's preferred method of communication on file.

or by placing the advance notice, with first class postage prepaid and addressed to the customer's last known address, in the U.S. mail.

2. ~~Such notice shall be considered to be given to the customer when a copy thereof is left with the customer or posted first class in the United States mail, addressed to the customer's last known address.~~
3. ~~If after the period of time allowed by the advance notice has elapsed, and the delinquent account has not been paid nor arrangements made with the utility for the payment thereof or in the case of a violation of the utility's rules the customer has not satisfied the utility that such violation has ceased customer has not remedied the cause for termination to the utility's satisfaction, the utility shall provide the customer a final notice, two days before the termination date specified, using the customer's preferred method of communication on file. If the customer has not remedied the cause for termination after the two days have passed, and subsection (A) does not apply, the utility may then terminate service on or after the day specified in the final notice without giving further notice.~~
4. ~~Service A utility may only be disconnected terminate service in conjunction with after compliance with subsection R14-2-211(A)(6).~~
5. ~~The A utility shall have the right (but not the obligation) to remove any or all of its property installed on the a customer's premises upon the termination of service.~~

F. Landlord/tenant rule. ~~In situations where If service is rendered at an address different from the mailing address of the bill, or where the utility knows that a landlord/tenant relationship exists and that the landlord is the customer of the utility, and where the landlord as a customer account becomes would otherwise be subject to disconnection termination of service under subsection (C), the utility may not disconnect service until the following actions have been taken:~~

1. ~~In addition to complying with subsections (D) and (E). Where it is feasible to so provide service, the utility, after providing notice as required in these rules, shall offer the occupant the an opportunity to subscribe for service in his or her own the occupant's name.~~
2. ~~If the occupant then declines to so subscribe to service in the occupant's name, the utility may disconnect terminate service pursuant to the rules as permitted under subsections (C) through (E).~~
- 2.3. ~~A utility shall not require or attempt to recover from a tenant require an occupant to pay or condition service to a tenant with the payment of any outstanding bills or other charges due upon on the outstanding account of the landlord.~~

G. ~~Notwithstanding subsections (A) through (F), a utility shall:~~

1. ~~Not disconnect residential service to a customer:~~
 - a. ~~From June 1 through October 15;~~
 - b. ~~If the local weather forecast will include weather conditions that the Commission has determined, by order, are especially dangerous to health;~~
 - c. ~~If the customer has paid at least half of the customer's outstanding bill balance within the last 25 days; or~~

3. The utility shall notify the complainant and the Commission representative of the final disposition of each complaint. Upon request of the complainant or the Commission representative, the utility shall report the findings of its investigation in writing.
4. The utility shall inform the customer of ~~his~~ the right of to appeal to the Commission if dissatisfied with the results of the utility's investigation or the final disposition of the complaint.
5. Each utility shall keep a record of all written service complaints received which shall contain, at a minimum, the following data:
 - a. Name and address of the complainant;
 - b. Date and nature of the complaint;
 - c. Disposition of the complaint; and
 - d. A copy of any correspondence between the utility, the customer, and the Commission.
6. This record shall be maintained for a minimum period of one year and shall be available for inspection by the Commission.

B. Customer bill disputes

1. Any utility customer who disputes a portion of a bill rendered for utility service shall, prior to the delinquent date of the bill, pay the undisputed portion of the bill and notify the utility's designated representative that such unpaid amount is in dispute ~~prior to the delinquent date of the bill.~~
2. Upon receipt of the customer notice of dispute, the utility shall:
 - a. Notify the customer within five working days of the receipt of a written dispute notice;
 - b. Initiate a prompt investigation as to the source of the dispute;
 - c. Withhold ~~disconnection~~ termination of service until the investigation is completed and the customer is informed of the results. , in writing if requested by ~~Upon request of the customer the utility shall report the results of the investigation in writing; and~~
 - d. Inform the customer of ~~his~~ the right of to appeal to the Commission if dissatisfied with the results of the utility's investigation.
3. Once the customer has received the results of the utility's investigation, the customer shall, within five working days, submit payment ~~within five working days~~ to the utility for any disputed amounts. Failure to make full payment shall be grounds for termination of service.

C. Commission resolution of service and bill disputes

1. In the event a customer and utility cannot resolve a service or bill dispute, the customer shall file a written statement of dissatisfaction with the Commission; ~~by~~ By submitting such notice a written statement of dissatisfaction to the Commission, the customer shall be deemed to have filed an informal complaint against the utility.
2. Within 30 days of the receipt of a written statement of customer dissatisfaction related to a service or bill dispute, a designated representative of the Commission shall endeavor to resolve the dispute ~~by correspondence or telephone~~ through communications with the utility and the customer (written or telephonic or both). If resolution of the dispute is not achieved within 20 days of the

Commission representative's initial effort, the Commission shall hold an informal hearing to arbitrate the resolution of the dispute. The informal hearing shall be governed by the following rules:

- a. Each party may be represented by legal counsel, if desired.
 - b. All such informal hearings may be recorded or held in the presence of a stenographer.
 - c. ~~All parties will~~ Each party shall have the opportunity to present written or oral evidentiary material to support the ~~positions of the individual parties~~ party's position.
 - d. ~~All parties~~ Each party and the Commission's representative shall ~~be given~~ have the opportunity for ~~cross-examination of the various parties~~ to cross-examine each other party.
 - e. The Commission's representative ~~will~~ shall render a written decision to all parties within five working days after the date of the informal hearing. ~~Such~~ The written decision of the ~~arbitrator~~ Commission's representative is not binding on any of the parties, and the parties ~~will still have~~ shall retain the right to make a formal complaint to the Commission.
3. The utility may implement normal termination procedures if the customer fails to pay all bills rendered during the resolution of the dispute by the Commission.
 4. Each utility shall maintain a record of written statements of dissatisfaction and their resolution for a minimum of one year and make such records available for Commission inspection.

D. Notice by utility of responsible officer or agent

1. Each utility shall file with the Commission, ~~through Docket Control~~, a written statement containing the name, address (business, residence, and post-office mailing) and telephone numbers (business and residence) of at least one officer, agent, or employee responsible for the general management of its operations as a utility in Arizona.
2. Each utility shall give notice, by filing a written statement with the Commission, ~~through Docket Control~~, of any change in the information required herein within five days from the date of any such change.

E. Time-frames for processing applications for Certificates of Convenience and Necessity

1. This rule prescribes time-frames for the Commission's processing of any application for a Certificate of Convenience and Necessity ~~issued by the Arizona Corporation Commission~~ filed pursuant to this Article. These time-frames shall apply to applications filed on or after the effective date of this rule.
2. Within 120 calendar days after receipt of an application for a new Certificate of Convenience and Necessity, or to amend or change the status of any existing Certificate of Convenience and Necessity, staff shall notify the applicant, in writing, that the application is either administratively complete or deficient. If the application is deficient, the notice shall specify all deficiencies.
3. Staff may ~~terminate~~ cease its review of an application if the applicant does not remedy all deficiencies within 60 calendar days of the notice of deficiency.

4. After receipt of a corrected application, staff shall notify the applicant within 90 calendar days if the corrected application is either administratively complete or deficient. The time-frame for administrative completeness review shall be suspended from the time the notice of deficiency is issued until staff determines that the application is complete.
5. Within 150 days after an application is deemed administratively complete, the Commission shall approve or reject the application.
6. For purposes of A.R.S. § 41-1072 et seq., the Commission has established the following time-frames:
 - a. Administrative completeness review time-frame: 120 calendar days;
 - b. Substantive review time-frame: 150 calendar days; ~~and~~
 - c. Overall time-frame: 270 calendar days.
7. If an applicant requests, and is granted, an extension or continuance, the appropriate time-frames shall be tolled from the date of the request during the duration of the extension or continuance.
8. During the substantive review time-frame, the Commission may, upon its own motion or that of any interested party to the proceeding, ~~request a suspension of~~ suspend the time-frame rules.

F. Filing and availability of tariffs

1. Each utility shall file with the Commission, ~~through Docket Control~~ within 120 days after the effective date of new rules or requirements adopted by the Commission, or within a shorter period ordered by the Commission, tariffs ~~which are in compliance that~~ comply with the new rules and regulations promulgated by the Arizona Corporation or requirements adopted by the Commission within 120 days of the effective date of such rules.
2. Each utility shall file with the Commission, ~~through Docket Control~~, any proposed changes to the utility's tariffs on file with the Commission; ~~such proposed changes shall be accompanied by ,~~ along with a statement of justification supporting the proposed ~~tariff change~~ changes.
3. ~~Any A~~ utility's proposed change to the utility's tariffs on file with the Commission shall not ~~be~~ become effective until reviewed and approved by the Commission, except as provided for by law.
4. Each utility shall make its applicable tariffs available on its website and, upon request, either in paper form or in a readily accessible electronic format such as Adobe PDF.

G. Accounts and records

1. Each utility shall keep general and auxiliary accounting records reflecting the cost of its properties, operating income and expense, assets and liabilities, and all other accounting and statistical data necessary to give complete and authentic information as to its properties and operations.
2. Each utility shall maintain its books and records in conformity with the Uniform Systems of Accounts for Class A, B, C and D Electric Utilities as adopted and amended by the Federal Energy Regulatory Commission or, for electric cooperatives, as promulgated by the Rural Utilities Service.

3. A utility shall produce or deliver in this state any or all of its formal accounting records and related documents requested by the Commission. It may, at its option, provide verified copies of original records and documents.
 4. All utilities shall submit an annual report to the Commission, through the Utilities Division Compliance Section, ~~Utilities Division~~, on a form prescribed by it. The annual report shall be filed on or before the 15th day of April for the preceding calendar year. ~~Reports~~ If the utility has received a report on the utility prepared by a certified or licensed public accountant on the utility, if any, the utility shall accompany the include a copy of the report with its annual report submission.
 5. All utilities shall submit to the Commission, through the Utilities Division Compliance Section, a copy of all reports required by the Securities and Exchange Commission.
 - ~~5.6.~~ All utilities shall ~~file with~~ submit to the Commission, through the Utilities Division Compliance Section, ~~Utilities Division~~, a copy of all annual reports required by the Federal Energy Regulatory Commission and in addition, for electric cooperatives, annual reports required by the Rural Utilities Service.
- H. Maps. All utilities shall file with the Commission, ~~through Docket Control~~, a map or maps clearly setting forth the location and extent of the area or areas they hold under approved certificates of convenience and necessity, in accordance with the Cadastral (Rectangular) Survey of the United States Bureau of Land Management, or by metes and bounds with a starting point determined by the aforesaid Cadastral Survey.
- I. Variations, exemptions of Commission rules ~~and regulations~~. Variations or exemptions from the terms and requirements of any of the rules included herein (14 A.A.C. 2, Article 2) shall be considered upon the verified application of an affected party to the Commission setting forth the circumstances whereby the public interest requires such variation or exemption from the Commission rules ~~and regulations~~. Such application will be subject to the review of the Commission, and any variation or exemption granted shall require an order of the Commission. In case of conflict between these rules ~~and regulations~~ and an approved tariff or order of the Commission, the provisions of the tariff or order shall apply.
- J. Prior agreements. The adoption of these rules by the Commission shall not affect any agreements entered into between the utility and customers or other parties who, pursuant to such contracts, arranged for the extension of facilities in a provision of service prior to the effective date of these rules.

ARTICLE 3. GAS UTILITIES

R14-2-301. Definitions

In this Article, unless the context otherwise requires, the following definitions shall apply:

1. No change
2. No change
3. No change
4. No change
5. No change

6. No change
7. No change
8. No change
9. No change
10. No change
11. No change
 - a. No change
 - b. No change
 - c. No change
12. No change
13. No change
14. No change
15. No change
16. No change
17. No change
18. ~~"Elderly." A person who is 62 years of age or older.~~
19. ~~"Handicapped." A person with a physical or mental condition which substantially contributes to the person's inability to manage his or her own resources, carry out activities of daily living, or protect oneself from neglect or hazardous situations without assistance from others.~~
20. ~~"Illness." A medical ailment or sickness for which a residential customer obtains a verifiable document from a licensed medical physician stating the nature of the illness and that discontinuance of service would be especially dangerous to the customer's health in the opinion of a licensed medical physician.~~
- 21-18. ~~"Inability to pay." Circumstances where~~ means a circumstance under which a residential customer:
 - a. Cannot pay the full balance of the customer's monthly bill;
 - b. Has signed a declaration and, if requested, has provided documentation issued by an Arizona or U.S. governmental agency or a licensed medical practitioner verifying that the customer:
 - i. Is at least 62 years of age;
 - ii. Has a physical or mental condition that substantially limits the customer's ability to manage resources, carry out activities of daily living, or secure protection from neglect or hazardous situations from others; or
 - iii. Has a medical condition that makes termination of gas service especially dangerous to the customer's health; and
 - c. Meets one of the following:

- a. i. Is not gainfully employed and unable to pay, as verified by documentation issued by the Arizona Department of Economic Security or the Arizona Department of Revenue; or
- b. ii. Qualifies for monetary government welfare assistance, as verified by documentation issued by the Arizona Department of Economic Security or the U.S. Social Security Administration, but has not yet begun to receive assistance on the date that he receives his bill and can obtain verification from the government welfare assistance agency; or
- e. ii. Has an annual income below the published federal poverty level and can produce evidence of this, and, as verified by documentation issued by the Arizona Department of Revenue or the U.S. Internal Revenue Service.
- d. Signs a declaration verifying that the customer meets one of the above criteria and is either elderly, handicapped, or suffers from an illness.

22-19. No change

20. "Licensed medical practitioner" means one of the following health care providers, actively licensed to practice in Arizona:

- a. An allopathic or osteopathic physician.
- b. A registered nurse practitioner, or
- c. A physician assistant.

23-21. No change

24-22. No change

25-23. No change

26-24. No change

27-25. No change

28-26. No change

29-27. No change

30-28. No change

31-29. No change

32-30. No change

33-31. No change

34-32. No change

35-33. No change

36-34. No change

37-35. No change

38-36. No change

39-37. No change

- 40.38. "Service reconnect charge." A means the charge as specified in the a utility's tariffs which that must be paid by the a customer prior to reestablishment of gas service each time the customer's gas service is disconnected terminated for nonpayment or whenever service is discontinued for failure otherwise to comply with the utility's tariffs.
- 41.39. "Service reestablishment charge." A means the charge as specified in the a utility's tariffs for that must be paid to reinitiate service at the same location where the same customer had ordered a service disconnection termination within the preceding 12-month period.
- 42.40. No change
- 43.41. No change
- 44.42. No change
- 45.43. No change
44. "Terminate" or "Termination" means discontinue or discontinuance of gas service to a customer's premises, by intentional action of the utility, and is synonymous with "disconnect" or "disconnection" as used in this Article.
- 46.45. No change
- 47.46. "Third party notice." A "Third party" means notice sent to an individual or a public entity a person willing to receive notification of the a customer's pending discontinue termination of service of a customer of record in order and to make arrangements on behalf of said the customer satisfactory to the utility to prevent termination of service.
- 48.47. No change
49. "Weather especially dangerous to health." That period of time commencing with the scheduled termination date when the local weather forecast, as predicted by the National Oceanographic and Administration Service, indicates that the temperature will not exceed 32 degrees Fahrenheit for the next day's forecast. The Commission may determine that other weather conditions are especially dangerous to health as the need arises.

R14-2-308. Provision of Service

- A. No change
1. No change
 2. No change
 3. Each utility may, at its option, refuse service until the customer's pipes and appliances have been tested and found to be safe, free from leaks, and in good operating condition. Proof of such testing shall be in the form of a certificate executed by a licensed plumber of or local inspector, certifying that the customer's facilities have been tested and are in safe operating condition.
 4. No change
- B. No change
1. No change
 2. No change

3. No change
4. No change
5. No change

C. Continuity of service. Each utility shall make reasonable efforts to supply a satisfactory and continuous level of service. However, no utility shall be responsible for any damage or claim of damage attributable to any interruption or discontinuation of service resulting from:

1. Any cause ~~against which~~ that the utility could not have reasonably foreseen or made provision for, ~~i.e., such as~~ force majeure;
2. Intentional service interruptions to make repairs or perform routine maintenance; or
3. Curtailment.

D. No Change

E. Service Interruptions

1. No change
2. No change
3. No change
4. When a utility plans to interrupt service for more than four hours to perform necessary repairs or maintenance, the utility shall attempt to inform affected customers, at least ~~24~~ 48 hours in advance, of the scheduled date and estimated duration of the service interruption. ~~Such A utility shall complete repairs shall be completed~~ in the shortest possible time to minimize the inconvenience to the customers of the utility.
5. ~~The A utility shall notify the Commission, Consumer Services Section, shall be notified of interruptions any interruption in service affecting the entire system or any major division significant portion thereof, as follows:~~
 - a. ~~The interruption of service and cause shall be reported By telephone or by submitting an Outage Report Form through the Commission's website, within one hour as soon as practicable after the responsible representative of the utility becomes aware of said the interruption, and~~
 - b. ~~If the notice is made by telephone, by submitting a follow-up to the Commission and followed by a written report to the Commission, Consumer Services Section, within 24 hours after the initial notice.~~
6. A utility's notification made under subsection (E)(5) shall include at least the following:
 - a. The name of the utility and of the responsible representative making the report,
 - b. The telephone number of the responsible representative,
 - c. The locations and number of customer connections affected by the outage,
 - d. The substations and feeders involved in the outage, if applicable,
 - e. The start and end times of the outage,
 - f. The duration of the outage, and

g. The cause of the outage.

F. No Change

G. No Change

1. No change

2. No change

H. No Change

R14-2-311. Termination of service

A. ~~Nonpermissible reasons to disconnect service.~~ Restrictions on termination of service; recordkeeping and repayment ~~A utility may not disconnect service for any of the reasons stated below:~~

1. ~~Delinquency~~ A utility shall not terminate service to a customer due to delinquency in payment for services rendered to a prior customer at the premises where service is being provided, except in the instance where unless the prior customer continues to reside on the premises.

2. ~~Failure of the customer~~ A utility shall not terminate service to a customer due to the customer's failure to pay for services or equipment which that are not regulated by the Commission.

3. ~~Nonpayment~~ A utility shall not terminate service to a customer due to the customer's nonpayment of a bill related to another class of service.

4. ~~Failure~~ A utility shall not terminate service to a customer due to the customer's failure to pay for the portion of a bill imposed to correct a previous underbilling due to an inaccurate meter or meter failure, provided that if the customer agrees to pay the portion of the bill attributable to correction of underbilling in full over a reasonable period of time months established by the utility.

5. A utility shall not terminate residential service where the to a customer who has an inability to pay if the customer can establish, on an annual basis, through documentation from a licensed medical practitioner:

a. ~~The customer can establish through medical documentation that~~ That, in the opinion of a the licensed medical physioian practitioner, termination would be especially dangerous to the health of a the customer or a permanent resident residing on the customer's premises, or

b. ~~Life~~ That there is medically-necessary equipment used in the home that is dependent on utility service for operation of such apparatus, or

c. ~~e. Where weather will be especially dangerous to health as defined or as determined by the Commission.~~

6. ~~Residential service to ill, elderly, or handicapped persons~~ A utility shall not terminate residential service to a customer who have has an inability to pay will not be terminated until the utility has complied with subsection (D) and completed all of the following have been attempted:

a. The customer utility has been informed the customer of the availability of funds from various government and social assistance agencies;

- b. A If a third party has previously been designated by the customer to receive delinquency and termination information, the utility has been notified the third party that the customer's bill is delinquent and has not made arrangements to pay the outstanding utility bill: allowed the third party three days to make arrangements to pay the delinquent utility bill, after which the delinquent bill has not been paid;
- c. At least 48 hours before the date upon which termination would occur, the utility has:
 - i. Notified the customer or an adult resident of the premises in person at the address where service is provided, or
 - ii. Made at least two efforts for in-person contact, at the customer's residence, during each of which the utility has posted written notices in two conspicuous locations at the residence, such as on a front door and on or next to a garage door or carport door. In-person contact may include engaging in conversation via telephone with the customer.
- d. The utility shall not be required to perform an in-person visit with a customer who has previously threatened the utility or its employee. The utility shall maintain documentation of all threatening occurrences.
- e. After completing the requirements of subsections (A)(6)(a) through (c), the utility has telephoned the customer to provide notice of the termination by speaking to the customer or an adult resident of the premises or by leaving a voice message.
- 7. A utility shall retain for three years records demonstrating its compliance with subsection (A)(6).
- 7.8. A utility may require a customer utilizing the provisions of whose service is not terminated under subsection (A)(5) or (6) may be required to enter into a deferred payment agreement with the utility within 10 days after the scheduled termination date on which service otherwise would have been terminated.
- 8.9. Failure A utility shall not terminate service to a customer's premises due to the customer's failure to pay the bill of another customer as guarantor thereof.
- 9.10. Disputed bills where A utility shall not terminate service due to a customer's failure to pay the disputed portion of a bill if the customer has complied with the Commission's rules on customer bill disputes R14-2-312(B).
- 11. A utility shall not terminate residential service to a customer if the local weather forecast, as predicted by the National Weather Service, indicates that during the next five days the weather in the area of the customer's service address:
 - a. Will include temperatures that do not exceed 32° F; or
 - b. Will include other weather conditions that the Commission has determined, by order, are especially dangerous to health.
- 12. If a utility would have terminated a customer's service but for subsection (A)(11), the utility shall:

- a. Immediately notify the customer, using the customer's preferred method of communication on file, of:
 - i. The reason the utility is not permitted to disconnect service,
 - ii. The expected date on which termination of service will be permissible, and
 - iii. The customer's responsibilities under subsection (G);
- b. Not impose any late fees or interest on any past due amounts that otherwise would have accrued while weather conditions fall within subsection (A)(11); and
- c. Require the customer, within 15 days after weather conditions no longer fall within subsection (A)(11), either to pay the delinquent bill in full or to enter into a payment plan to repay the delinquent bill through installments over a period of four months.
- 13. A utility shall not terminate residential service to a customer unless the utility's call centers and office or business facilities are open and available to the public on the day of termination and the day following the day of termination.
- 14. A utility shall not terminate residential service to a customer if the customer has paid at least half of the customer's delinquent bill balance within the last 25 days or if the customer's delinquent bill balance is less than or equal to \$75.00.
- 15. If a customer has a deposit with a utility, the utility shall use the deposit to pay any delinquent amount on the customer's account before terminating service and shall allow the customer time to repay the deposit in installments over a period of four months.

B. Termination of service without notice; recordkeeping requirement

- 1. Utility service may be disconnected ~~A utility may terminate service to a customer's premises without advance written notice under the following conditions if:~~
 - a. ~~The existence of~~ Failure to terminate service would result in an obvious hazard to the safety or health of the consumer customer, or the general population, or the utility's personnel or facilities;
 - b. The utility has evidence of meter tampering or fraud related to the customer or the customer's premises; or
 - c. ~~Failure of a~~ The customer has failed to comply with the curtailment procedures imposed by a the utility during supply shortages.
- 2. ~~The~~ A utility that has terminated service under subsection (B)(1) shall not be required to restore service until the conditions which situation that resulted in the termination have has been corrected to the satisfaction of the utility.
- 3. ~~Each~~ A utility shall maintain a record of all terminations of service without notice. This record shall be maintained for a minimum of one year and shall be available for inspection by the Commission.
- 4. The provisions of R14-2-311(A)(6) shall not apply to this subsection.

C. Termination of service with notice

1. ~~A~~ Except as provided in subsection (A), a utility may ~~disconnect~~ terminate service to ~~any customer~~ a customer's premises for any reason stated below of the following reasons, provided that the utility has met complied with the notice requirements established by the Commission requirements of subsection (D):

- a. Customer violation of any of the utility's tariffs or of the Commission's rules;
- b. Failure of the customer to pay a delinquent bill for utility service;
- c. Failure of the customer to meet or maintain the utility's deposit requirements;
- d. Failure of the customer to provide the utility reasonable access to its equipment and property;
- e. Customer breach of a written contract for service between the utility and customer;
- f. When necessary for the utility to comply with an order of any governmental agency having such jurisdiction; or
- g. Unauthorized resale of equipment or service by the customer.

2. ~~Each~~ A utility shall maintain a record of all terminations of service with notice. This record shall be maintained for one year and shall be available for Commission inspection.

D. Termination notice requirements; disputes

1. ~~No~~ At least 10 days before a utility shall terminate ~~terminates~~ service to ~~any of its customers without providing a customer's premises under subsection (C), the utility shall provide the customer advance written notice to the customer of the utility's intent to disconnect terminate service, except under those conditions specified where advance written notice is not required using the customer's preferred method of communication on file.~~
2. ~~Such advance written notice shall contain, at a minimum, A utility shall include at least the following information in an advance notice required under subsection (D)(1):~~
 - a. The name of the ~~person~~ customer whose service is to be terminated and the address where service is being rendered;
 - b. If service is to be terminated because the customer has violated a utility tariff or Commission rule, the name of the utility tariff or Commission rule violated and an explanation of the violation;
 - ~~b.c.~~ The utility tariff that was violated and explanation thereof or If service is to be terminated because the customer has failed to pay a delinquent bill for utility service, the amount of the bill which the customer has failed to pay in accordance with the payment policy of the utility, if applicable, and the date payment was due;
 - d. If service is to be terminated because the customer has failed to meet or maintain the utility's deposit requirements, the amount the customer has on deposit and the amount the customer is required to have on deposit;

- e. If service is to be terminated because the customer has failed to provide the utility reasonable access to its equipment and property, a description of the access required and a description, including dates, of the customer's failure to provide access;
 - f. If service is to be terminated because the customer has breached a written contract for service between the customer and the utility, identification of the contract provision breached and a description of the circumstances constituting a breach;
 - g. If service is to be terminated because the termination is necessary for the utility to comply with an order of any governmental agency having such jurisdiction, a description and, if possible, a copy of the order;
 - h. If service is to be terminated because the customer has engaged in unauthorized resale of equipment or service, a description of the circumstances, including dates, constituting such resale;
 - e.i. The date on or after which service may be terminated;
 - j. A statement advising the customer to contact the utility at a specific address or phone number to receive information regarding any deferred payment program or other procedures the utility may offer, or to work out a mutually agreeable solution to avoid termination of the customer's service; and
 - k. A description of the requirements of subsection (D)(3), along with the specific address or phone number for the customer to use to raise a dispute.
3. d. A statement advising the customer that utility shall ensure that a customer is afforded the right to dispute the utility's stated reason for the termination of services may be disputed, in accordance with the following:
- a. A utility shall maintain a specific address or phone number for customers to use to raise a dispute with the utility;
 - b. by contacting To dispute a utility's reason for termination, a customer shall contact the utility at a the specific address or phone number, before the scheduled date of termination, advising the utility of the dispute and making arrangements requesting to discuss the cause for termination with a responsible employee of the utility in advance of the scheduled date of termination. ;
 - c. The If a customer raises a dispute, a utility shall ensure that a responsible employee shall be of the utility, who is empowered to resolve the customer's dispute, discusses the cause for termination with the customer before the scheduled termination date;
 - d. and the utility shall retain the option to terminate service after affording this opportunity for a meeting and concluding If a utility determines after discussion with a disputing customer that the reason for termination is just, the utility may terminate service to the customer, unless prohibited by subsection (A); and

- e. If a utility decides to terminate service to a disputing customer as permitted in subsection (D)(3)(d), the utility advising shall inform the customer the termination and of his the customer's right to file a complaint with the Commission.
- 3.4. ~~Where applicable~~ If a customer has designated a third party for the customer's account, a utility shall ensure that a copy of the each termination notice will be provided to the customer is simultaneously forwarded sent to the designated third parties party.
- E. Timing of terminations with notice
1. ~~Each A utility shall be required to give at least five days' advance written notice prior to the termination date~~ provide the advance notice required by subsection (D)(1) by providing a copy of the advance notice to the customer, using the customer's preferred method of communication on file, or by placing the advance notice, with first class postage prepaid and addressed to the customer's last known address, in the U.S. mail.
 2. ~~Such notice shall be considered to be given to the customer when a copy thereof is left with the customer or posted first class in the United States mail, addressed to the customer's last known address.~~
 - 3.2. ~~If after the period of time allowed by the advance notice has elapsed, and the delinquent account has not been paid nor arrangements made with the utility for the payment thereof or in the case of a violation of the utility's rules the customer has not satisfied the utility that such violation has ceased~~ customer has not remedied the cause for termination to the utility's satisfaction, the utility shall provide the customer a final notice, two days before the termination date specified, using the customer's preferred method of communication on file. If the customer has not remedied the cause for termination after the two days have passed, and subsection (A) does not apply, the utility may then terminate service on or after the day specified in the final notice without giving further notice.
 - 4.3. ~~Service A utility may only be disconnected~~ terminate service in conjunction with after compliance with subsection R14-2-311(A)(6).
 - 5.4. ~~The A utility shall have the right (but not the obligation) to remove any or all of its property installed on the a customer's premises upon the termination of service.~~
- F. Landlord/tenant rule. ~~In situations where~~ If service is rendered at an address different from the mailing address of the bill, or where the utility knows that a landlord/tenant relationship exists and that the landlord is the customer of the utility, and where the landlord as a customer account becomes would otherwise be subject to disconnection termination of service under subsection (C), the utility may not disconnect service until the following actions have been taken:
1. ~~Where it is feasible to so provide service~~ In addition to complying with subsections (D) and (E), the utility, after providing notice as required in these rules, shall offer the occupant the an opportunity to subscribe for service in his or her own the occupant's name.
 2. ~~If the occupant then declines to so subscribe to service in the occupant's name, the utility may disconnect~~ terminate service pursuant to the rules as permitted under subsections (C) through (E).

- 2.3. ~~A utility shall not require or attempt to recover from a tenant or condition service to a tenant with the payment of~~ require an occupant to pay any outstanding bills or other charges due ~~upon~~ on the outstanding account of the landlord.

G. Customer responsibility

1. A customer shall be responsible for managing therm use when a utility is not permitted to terminate service to the customer under subsection (A).
2. A customer shall be financially responsible for any bill accrued during a period when a utility is not permitted to terminate service to the customer under subsection (A).
3. A customer shall, within 15 days after receiving utility notice under subsection (A)(12):
 - i. Agree to pay the outstanding bill in full within 15 days after subsection (A)(11) no longer applies, or
 - ii. Enter into a payment plan to repay the delinquent bill through installments over a period of four months after subsection (A)(11) no longer applies.

R14-2-312. Administrative and Hearing Requirements

A. Customer service complaints

1. Each utility shall make a full and prompt investigation of all service complaints made by its customers, ~~either whether made~~ directly or through the Commission.
2. The utility shall respond to the complainant ~~and/or and~~ the Commission representative within five working days as to the status of the utility investigation of the complaint.
3. The utility shall notify the complainant ~~and/or and~~ the Commission representative of the final disposition of each complaint. Upon request of the complainant or the Commission representative, the utility shall report the findings of its investigation in writing.
4. The utility shall inform the customer of ~~his the right of to~~ appeal to the Commission if dissatisfied with the results of the utility's investigation or the final disposition of the complaint.
5. Each utility shall keep a record of all written service complaints received which shall contain, at a minimum, the following data:
 - a. Name and address of the complainant;
 - b. Date and nature of the complaint;
 - c. Disposition of the complaint; and
 - d. A copy of any correspondence between the utility, the customer, ~~and/or and~~ the Commission.
6. This record shall be maintained for a minimum period of one year and shall be available for inspection by the Commission.

B. Customer bill disputes

1. Any utility customer who disputes a portion of a bill rendered for utility service shall, prior to the delinquent date of the bill, pay the undisputed portion of the bill and notify the utility's designated representative that ~~such the~~ unpaid amount is in dispute ~~prior to the delinquent date of the bill.~~

2. Upon receipt of the customer notice of dispute, the utility shall:
 - a. Notify the customer within five working days of the receipt of a written dispute notice;
 - b. Initiate a prompt investigation as to the source of the dispute;
 - c. Withhold ~~disconnection~~ termination of service until the investigation is completed and the customer is informed of the results. ~~Upon request of~~, in writing if requested by the customer the utility shall report the results of the investigation in writing; and
 - d. Inform the customer of ~~his~~ the right of ~~to~~ appeal to the Commission if dissatisfied with the results of the utility's investigation.
3. Once the customer has received the results of the utility's investigation, the customer shall, within five working days, submit payment ~~within five working days~~ to the utility for any disputed amounts. Failure to make full payment shall be grounds for termination of service.

C. Commission resolution of service ~~and/or~~ and bill disputes

1. In the event a customer and utility cannot resolve a service ~~and/or~~ or bill dispute, the customer shall file a written statement of dissatisfaction with the Commission; ~~by~~ By submitting ~~such notice~~ a written statement of dissatisfaction to the Commission, the customer shall be deemed to have filed an informal complaint against the utility.
2. Within 30 days of the receipt of a written statement of customer dissatisfaction related to a service or bill dispute, a designated representative of the Commission shall endeavor to resolve the dispute ~~by correspondence and/or telephone~~ through communications with the utility and the customer (written or telephonic or both). If resolution of the dispute is not achieved within 20 days of the Commission representative's initial effort, the Commission shall hold an informal hearing to arbitrate the resolution of the dispute. The informal hearing shall be governed by the following rules:
 - a. Each party may be represented by legal counsel, if desired.
 - b. All such informal hearings may be recorded or held in the presence of a stenographer.
 - c. ~~All parties will~~ Each party shall have the opportunity to present written or oral evidentiary material to support the ~~positions of the individual parties~~ party's position.
 - d. ~~All parties~~ Each party and the Commission's representative shall ~~be given~~ have the opportunity ~~for cross-examination of the various parties to cross-examine each other~~ party.
 - e. The Commission's representative ~~will~~ shall render a written decision to all parties within five working days after the date of the informal hearing. ~~Such~~ The written decision of the ~~arbitrator~~ Commission's representative is not binding on any of the parties, and the parties ~~will still have~~ shall retain the right to make a formal complaint to the Commission.
3. The utility may implement normal termination procedures if the customer fails to pay all bills rendered during the resolution of the dispute by the Commission.

4. Each utility shall maintain a record of written statements of dissatisfaction and their resolution for a minimum of one year and make such records available for Commission inspection.
- D. Notice by utility of responsible officer or agent**
1. Each utility shall file with the Commission a written statement containing the name, address (business, residence, and ~~post-office-mailing~~) and telephone numbers (business and residence) of at least one officer, agent, or employee responsible for the general management of its operations as a utility in Arizona.
 2. Each utility shall give notice, by filing a written statement with the Commission, of any change in the information required herein within five days from the date of any such change.
- E. Time-frames for processing applications for Certificates of Convenience and Necessity**
1. This rule prescribes time-frames for the Commission's processing of any application for a Certificate of Convenience and Necessity ~~issued by the Arizona Corporation Commission~~ filed pursuant to this Article. These time-frames shall apply to applications filed on or after the effective date of this rule.
 2. Within 120 calendar days after receipt of an application for a new Certificate of Convenience and Necessity, or to amend or change the status of any existing Certificate of Convenience and Necessity, staff shall notify the applicant, in writing, that the application is either administratively complete or deficient. If the application is deficient, the notice shall specify all deficiencies.
 3. Staff may ~~terminate~~ cease its review of an application if the applicant does not remedy all deficiencies within 60 calendar days of the notice of deficiency.
 4. After receipt of a corrected application, staff shall notify the applicant within 30 calendar days if the corrected application is either administratively complete or deficient. The time-frame for administrative completeness review shall be suspended from the time the notice of deficiency is issued until staff determines that the application is complete.
 5. Within 150 days after an application is deemed administratively complete, the Commission shall approve or reject the application.
 6. For purposes of A.R.S. § 41-1072 et seq., the Commission has established the following time-frames:
 - a. Administrative completeness review time-frame: 120 calendar days.
 - b. Substantive review time-frame: 150 calendar days.
 - c. Overall time-frame: 270 calendar days.
 7. If an applicant requests, and is granted, an extension or continuance, the appropriate time-frames shall be tolled from the date of the request during the duration of the extension or continuance.
 8. During the substantive review time-frame, the Commission may, upon its own motion or that of any interested party to the proceeding, ~~request a suspension of~~ suspend the time-frame rules.
- F. Filing and availability of tariffs**

1. Each utility shall file with the Commission, within 120 days after the effective date of new rules or requirements adopted by the Commission, or within a shorter period ordered by the Commission, ~~tariffs which are in compliance that comply with the new rules and regulations promulgated by the Arizona Corporation or requirements adopted by the Commission within 120 days of the effective date of such rules.~~
2. Each utility shall file with the Commission any proposed changes to the utility's tariffs on file with the Commission; ~~such proposed changes shall be accompanied by , along with~~ a statement of justification supporting the proposed ~~tariff change changes.~~
3. ~~Any~~ A utility's proposed change to the utility's tariffs on file with the Commission shall not be become effective until reviewed and approved by the Commission, except as provided for by law.
4. Each utility shall make its applicable tariffs available on its website and, upon request, either in paper form or in a readily accessible electronic format such as Adobe PDF.

G. Accounts and records

1. Each utility shall keep general and auxiliary accounting records reflecting the cost of its properties, operating income and expense, assets and liabilities, and all other accounting and statistical data necessary to give complete and authentic information as to its properties and operations.
2. Each utility shall maintain its books and records in conformity with the Uniform Systems of Accounts for Class A, B, C and D Gas Utilities as adopted and amended by the Federal Energy Regulatory Commission.
3. A utility shall produce or deliver in this state any or all of its formal accounting records and related documents requested by the Commission. It may, at its option, provide verified copies of original records and documents.
4. All utilities shall submit an annual report to the Commission, through the Utilities Division Compliance Section, on a form prescribed by it. The annual report shall be filed on or before the 15th day of April for the preceding calendar year. ~~Reports If the utility has received a report on the utility prepared by a certified or licensed public accountant on the utility, if any, the utility shall accompany the~~ include a copy of the report with its annual report submission.
5. All utilities shall ~~file with~~ submit to the Commission, through the Utilities Division Compliance Section, a copy of all reports required by the Securities and Exchange Commission.
6. All utilities shall ~~file with~~ submit to the Commission, through the Utilities Division Compliance Section, a copy of all annual reports required by the Federal Energy Regulatory Commission.

H. Maps. All utilities shall file with the Commission a map or maps clearly setting forth the location and extent of the area or areas they hold under approved certificates of convenience and necessity, in accordance with the Cadastral (Rectangular) Survey of the United States Bureau of Land Management, or by metes and bounds with a starting point determined by the aforesaid Cadastral Survey.

- I. Variations, exemptions of Commission rules ~~and regulations~~. Variations or exemptions from the terms and requirements of any of the rules included herein (Title 14, Chapter 2, Article 3) shall be considered upon the verified application of an affected party to the Commission setting forth the circumstances whereby the public interest requires such variation or exemption from the Commission rules ~~and regulations~~. Such application will be subject to the review of the Commission, and any variation or exemption granted shall require an order of the Commission. In case of conflict between these rules ~~and regulations~~ and an approved tariff or order of the Commission, the provisions of the tariff or order shall apply.
- J. Prior agreements. The adoption of these rules by the Commission shall not affect any agreements entered into between the utility and customers or other parties who, pursuant to such contracts, arranged for the extension of facilities in a provision of service prior to the effective date of these rules.

ARTICLE 4. WATER UTILITIES

R14-2-401. Definitions

In this Article, unless the context otherwise requires, the following definitions shall apply:

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. No change
11. No change
12. No change
13. "Inability to pay" means a circumstance under which a residential customer:
 - a. Cannot pay the full balance of the customer's monthly bill;
 - b. Has signed a declaration and, if requested, has provided documentation issued by an Arizona or U.S. governmental agency or a licensed medical practitioner verifying that the customer:
 - i. Is at least 62 years of age;
 - ii. Has a physical or mental condition that substantially limits the customer's ability to manage resources, carry out activities of daily living, or secure protection from neglect or hazardous situations without assistance from others; or
 - iii. Has a medical condition that makes termination of water service especially dangerous to the customer's health; and
 - c. Meets one of the following:

- i. Is not gainfully employed, as verified by documentation issued by the Arizona Department of Economic Security or the Arizona Department of Revenue;
- ii. Qualifies for monetary government welfare assistance, as verified by documentation issued by the Arizona Department of Economic Security or the U.S. Social Security Administration, but has not yet begun to receive assistance;
or
- iii. Has an annual income below the published federal poverty level, as verified by documentation issued by the Arizona Department of Revenue or the U.S. Internal Revenue Service.

13.14. No change

15. “Licensed medical practitioner” means one of the following health care providers, actively licensed to practice in Arizona:

- a. An allopathic or osteopathic physician,
- b. A registered nurse practitioner, or
- c. A physician assistant.

14.16. No change

15.17. No change

16.18. No change

17.19. No change

18.20. No change

19.21. No change

20.22. No change

21.23. No change

22.24. No change

23.25. No change

24.26. No change

25.27. No change

26.28. No change

27.29. “Rules.” The means:

- a. In reference to Commission or other state agency rules, the provisions adopted and set forth in the Arizona Administrative Code; and
- b. In reference to utility rules, the provisions regulations set forth in the utility’s tariffs which that apply to the provision of water service.

28.30. No change

29.31. No change

30.32. No change

~~31.33.~~ "Service reconnect charge." ~~The~~ means the charge as specified in ~~the~~ a utility's tariffs ~~which that~~ must be paid by ~~the~~ a customer prior to reestablishment of water service each time the customer's water service is ~~disconnected~~ terminated for nonpayment or ~~whenever service is discontinued~~ for failure otherwise to comply with the utility's ~~fixed-rules~~ tariffs.

~~32.34.~~ "Service reestablishment charge." A means the charge as specified in ~~the~~ a utility's tariffs ~~for that~~ must be paid to reinitiate service at the same location where the same customer ~~had~~ ordered a service ~~diseonnection~~ termination within the preceding 12-month period.

~~33.35.~~ No change

~~34.36.~~ No change

~~35.37.~~ No change

~~38.~~ "Terminate" or "Termination" means ~~discontinue or discontinuance of water service to a customer's premises, by intentional action of the utility, and is synonymous with "disconnect" or "disconnection" as used in this Article.~~

~~39.~~ "Third party" means ~~a person willing to receive notification of a customer's pending termination of service and to make arrangements on behalf of the customer to prevent termination of service.~~

~~36.~~ No change

R-14-2-407. Provision of Service

A. No change

B. No change

1. No change

2. No change

3. No change

4. No change

5. No change

6. No change

C. No change

1. No change

2. No change

3. No change

D. Service Interruptions

1. No change

2. No change

3. No change

4. When a utility plans to interrupt service for more than four hours to perform necessary repairs or maintenance, the utility shall attempt to inform affected customers, at least ~~2448~~ hours in advance, of the scheduled date and estimated duration of the service interruption. ~~Such~~ A utility shall

~~complete repairs shall be completed~~ in the shortest possible time to minimize the inconvenience to the customers of the utility.

5. ~~The~~ A utility shall notify the Commission, Consumer Services Section, shall be notified of any interruptions ~~interruption~~ in service affecting the ~~entire system or any major division thereof; as follows:~~

a. ~~The interruption of service and cause shall be reported~~ By telephone or by submitting an Outage Report Form through the Commission's website as soon as practicable after the responsible representative of the utility becomes aware of said ~~the interruption by telephone to the Commission;~~ and

b. ~~If the notice is made by telephone, by submitting a follow-up followed by a written report to the Commission, Consumer Services Section, within 24 hours after the initial notice.~~

6. A utility's notification made under subsection (D)(5) shall include at least the following:

a. The name of the utility and of the responsible representative making the report,

b. The telephone number of the responsible representative,

c. The locations and number of customer connections affected by the outage,

d. The action taken by the utility to resolve the outage,

e. The duration of the outage, and

f. The cause of the outage.

E. No change

F. No change

R14-2-410. Termination of service

- A. ~~Nonpermissible reasons to disconnect service. Restrictions on termination of service; recordkeeping and repayment requirements~~ A utility may not disconnect service for any of the reasons stated below:

1. ~~Delinquency~~ A utility shall not terminate service to a customer due to delinquency in payment for services rendered to a prior customer at the premises where service is being provided, except in the instance where unless the prior customer continues to reside on the premises.

2. ~~Failure of the customer~~ A utility shall not terminate service to a customer due to the customer's failure to pay for services or equipment which that are not regulated by the Commission.

3. ~~Nonpayment~~ A utility shall not terminate service to a customer due to the customer's nonpayment of a bill related to another class of service.

4. ~~Failure~~ A utility shall not terminate service to a customer due to the customer's failure to pay for the portion of a bill imposed to correct a previous underbilling due to an inaccurate meter or meter failure, provided that if the customer agrees to pay the portion of the bill attributable to correction of underbilling in full over a reasonable period of time months established by the utility.

5. A utility shall not terminate residential service where the to a customer who has an inability to pay if the customer an establish, on an annual basis, through documentation from a licensed medical practitioner that, in the opinion of the licensed medical physician practitioner, termination would be

especially dangerous to the health of the customer or a permanent resident residing on the customer's premises.

6. A utility shall not terminate residential service to a customer who has an inability to pay until the utility has complied with subsection (D) and completed all of the following:
 - a. The utility has informed the customer of the availability of funds from various government and social assistance agencies;
 - b. If a third party has previously been designated by the customer to receive delinquency and termination information, the utility has notified the third party that the customer's bill is delinquent and allowed the third party three days to make arrangements to pay the delinquent utility bill, after which the delinquent bill has not been paid;
 - c. At least 48 hours before the date upon which termination would occur, the utility has:
 - i. Notified the customer or an adult resident of the premises in person at the address where service is provided, or
 - ii. Made at least two efforts for in-person contact, at the customer's residence, during each of which the utility has posted written notices in two conspicuous locations at the residence, such as on a front door and on or next to a garage door or carport door. In-person contact may include engaging in conversation via telephone with the customer.
 - d. The utility shall not be required to perform an in-person visit with a customer who has previously threatened the utility or its employee. The utility shall maintain documentation of all threatening occurrences.
 - e. After completing the requirements of subsections (A)(6)(a) through (c), the utility has telephoned the customer to provide notice of the termination by speaking to the customer or an adult resident of the premises or by leaving a voice message.
7. A utility shall retain for three years records demonstrating its compliance with subsection (A)(6).
8. A utility may require a customer whose service is not terminated under subsection (A)(4) or (5) to enter into a deferred payment agreement with the utility within 10 days after the date on which service otherwise would have been terminated.
9. A utility shall not terminate service to a customer's premises due to the customer's failure to pay the bill of another customer as guarantor thereof.
10. A utility shall not terminate service due to a customer's failure to pay the disputed portion of a bill if the customer has complied with R14-2-411(B).
11. A utility shall not terminate residential service to a customer if the local weather forecast, as predicted by the National Weather Service, indicates that during the next five days the weather in the area of the customer's service address:
 - a. Will include temperatures that exceed 105° F; or

- b. Will include other weather conditions that the Commission has determined, by order, are especially dangerous to health.
12. If a utility would have terminated a customer's service but for subsection (A)(11), the utility shall:
- a. Immediately notify the customer, using the customer's preferred method of communication on file, of:
- i. The reason the utility is not permitted to disconnect service,
- ii. The expected date on which termination of service will be permissible, and
- iii. The customer's responsibilities under subsection (G);
- b. Not impose any late fees or interest on any past due amounts that otherwise would have accrued while weather conditions fall within subsection (A)(11); and
- c. Require the customer, within 15 days after weather conditions no longer fall within subsection (A)(11), either to pay the delinquent bill in full or to enter into a payment plan to repay the delinquent bill through installments over a period of four months.
13. A utility shall not terminate residential service to a customer unless the utility's call centers and office or business facilities are open and available to the public on the day of termination and the day following the day of termination.
14. A utility shall not terminate residential service to a customer if the customer has paid at least half of the customer's delinquent bill balance within the last 25 days or if the customer's delinquent bill balance is less than or equal to \$75.00.
15. If a customer has a deposit with a utility, the utility shall use the deposit to pay any delinquent amount on the customer's account before terminating service and shall allow the customer time to repay the deposit in installments over a period of four months.

B. Termination of service without notice; recordkeeping requirement

1. Utility service may be disconnected ~~A utility may terminate service to a customer's premises without advance written notice under the following conditions if:~~
- a. ~~The existence of~~ Failure to terminate service would result in an obvious hazard to the safety or health of the consumer customer, or the general population, or the utility's personnel or facilities;
- b. The utility has evidence of meter tampering or fraud related to the customer or the customer's premises; ~~or~~
- c. Unauthorized resale or use of utility services.
- d. ~~Failure of a~~ The customer has failed to comply with the curtailment procedures imposed by a the utility during supply shortages.
2. ~~The~~ A utility that has terminated service under subsection (B)(1) shall not be required to restore service until the conditions which situation that resulted in the termination have has been corrected to the satisfaction of the utility.

3. ~~Each~~ A utility shall maintain a record of all terminations of service without notice. This record shall be maintained for a minimum of one year and shall be available for inspection by the Commission.

4. The provisions of R14-2-410(A)(6) shall not apply to this subsection.

C. Termination of service with notice

1. A ~~Except as provided in subsection (A), a utility may disconnect terminate service to any customer a customer's premises for any reason stated below of the following reasons, provided that the utility has met complied with the notice requirements established by the Commission of subsection (D):~~

- a. ~~Customer violation of any of the utility's tariffs filed with the Commission and/or violation or of the Commission's rules and regulations.~~
- b. ~~Failure of the customer to pay a delinquent bill for utility service.~~
- c. ~~Failure of the customer to meet or maintain the utility's credit and deposit requirements.~~
- d. ~~Failure of the customer to provide the utility reasonable access to its equipment and property.~~
- e. ~~Customer breach of a written contract for service between the utility and customer.~~
- f. ~~When necessary for the utility to comply with an order of any governmental agency having such jurisdiction, or~~
- g. Unauthorized resale of equipment or service by the customer.

2. ~~Each~~ A utility shall maintain a record of all terminations of service with notice. This record shall be maintained for one year and shall be available for Commission inspection.

D. Termination notice requirements; disputes

1. ~~No~~ At least 10 days before a utility shall terminate terminates service to any of its customers a customer's premises under subsection (C), the utility shall provide the customer without providing advance written notice to the customer of the utility's intent to disconnect terminate service, except under those conditions specified where advance written notice is not required using the customer's preferred method of communication on file.

2. ~~Such~~ A utility shall include at least advance written notice shall contain, at a minimum, the following information in an advance notice required under subsection (D)(1):

- a. The name of the person customer whose service is to be terminated and the address where service is being rendered;
- b. If service is to be terminated because the customer has violated a utility tariff or Commission rule, the name of the utility tariff or Commission rule violated and an explanation of the violation;
- b.c. The Commission rule or regulation that was violated and explanation thereof or If service is to be terminated because the customer has failed to pay a delinquent bill for utility

- service, the amount of the bill which the customer has failed to pay in accordance with the payment policy of the utility, if applicable, and the date payment was due.
- d. If service is to be terminated because the customer has failed to meet or maintain the utility's deposit requirements, the amount the customer has on deposit and the amount the customer is required to have on deposit;
- e. If service is to be terminated because the customer has failed to provide the utility reasonable access to its equipment and property, a description of the access required and a description, including dates, of the customer's failure to provide access;
- f. If service is to be terminated because the customer has breached a written contract for service between the customer and the utility, identification of the contract provision breached and a description of the circumstances constituting a breach;
- g. If service is to be terminated because the termination is necessary for the utility to comply with an order of any governmental agency having such jurisdiction, a description and, if possible, a copy of the order;
- h. If service is to be terminated because the customer has engaged in unauthorized resale of equipment or service, a description of the circumstances, including dates, constituting such resale;
- e.i. The date on or after which service may be terminated;
- d.j. A statement advising the customer to contact the utility at a specific address or phone number for to receive information regarding any deferred payment program or other procedures which the utility may offer, or to work out some other a mutually agreeable solution to avoid termination of the customer's service; and
- e.k. A statement advising the customer that A description of the requirements of subsection (D)(3), along with the specific address or phone number for the customer to use to raise a dispute.
3. A utility shall ensure that a customer is afforded the right to dispute the utility's stated reason for the termination of services may be disputed, in accordance with the following:
- a. A utility shall maintain a specific address or phone number for customers to use to raise a dispute with the utility;
- b. To dispute a utility's reason for termination, a customer shall by contacting contact the utility at a the specific address or phone number, before the scheduled date of termination, advising the utility of the dispute and making arrangements requesting to discuss the cause for termination with a responsible employee of the utility in advance of the scheduled date of termination. ;
- c. The If a customer raises a dispute, a utility shall ensure that a responsible employee shall be of the utility, who is empowered to resolve the customer's dispute, discusses the cause for termination with the customer before the scheduled termination date;

- d. and If a utility determines after discussion with a disputing customer that the reason for termination is just, the utility shall retain the option to may terminate service to the customer, unless prohibited by subsection (A); and
 - e. If a utility decides to terminate service to a disputing customer as permitted in subsection (D)(3)(d), the utility shall inform the customer of the termination and of the customer's right to file a complaint with the Commission.
4. If a customer has designated a third party for the customer's account, a utility shall ensure that a copy of each termination notice provided to the customer is simultaneously sent to the designated third party.
- E. Timing of terminations with notice
1. Each A utility shall be required to give at least 10 days- provide the advance written notice prior to the termination date required by subsection (D)(1) by providing a copy of the advance notice to the customer, using the customer's preferred method of communication on file, or by placing the advance notice, with first class postage prepaid and addressed to the customer's last known address, in the U.S. mail.
 2. Such notice shall be considered to be given to the customer when a copy thereof is left with the customer or posted first class in the United States mail, addressed to the customer's last known address.
 - 3.2. If after the period of time allowed by the advance notice has elapsed, and the delinquent account has not been paid nor arrangements made with the utility for the payment thereof or in the case of a violation of the utility's rules the customer has not satisfied the utility that such violation has ceased customer has not remedied the cause for termination to the utility's satisfaction, the utility shall provide the customer a final notice, two days before the termination date specified, using the customer's preferred method of communication on file. If the customer has not remedied the cause for termination after the two days have passed, and subsection (A) does not apply, the utility may then terminate service on or after the day specified in the final notice without giving further notice.
 - 4.3. Service-A utility may only be disconnected terminate service in conjunction with after compliance with subsection R14-2-410(A)(6).
 - 5.4. The A utility shall have the right (but not the obligation) to remove any or all of its property installed on the a customer's premises upon the termination of service.
- F. Landlord/tenant rule. In situations where If service is rendered at an address different from the mailing address of the bill, or where the utility knows that a landlord/tenant relationship exists and that the landlord is the customer of the utility, and where the landlord as a customer account becomes would otherwise be subject to disconnection termination of service under subsection (C), the utility may not disconnect service until the following actions have been taken:

1. ~~Where it is feasible to so provide service~~ In addition to complying with subsections (D) and (E), the utility, after ~~providing notice as required in these rules~~, shall offer the occupant ~~the an~~ opportunity to subscribe for service in ~~his or her own~~ the occupant's name.
2. ~~If the occupant then declines to so subscribe to service in the occupant's name~~, the utility may ~~disconnect~~ terminate service ~~pursuant to the rules as permitted under subsections (C) through (E)~~.
- 2.3. A utility shall not require or attempt to recover from a tenant or condition service to a tenant with the payment of require an occupant to pay any outstanding bills or other charges due ~~upon on~~ the outstanding account of the landlord.

G. Customer responsibility

1. A customer shall be responsible for managing water use when a utility is not permitted to terminate service to the customer under subsection (A).
2. A customer shall be financially responsible for any bill accrued during a period when a utility is not permitted to terminate service to the customer under subsection (A).
3. A customer shall, within 15 days after receiving utility notice under subsection (A)(13):
 - i. Agree to pay the outstanding bill in full within 15 days after subsection (A)(11) no longer applies, or
 - ii. Enter into a payment plan to repay the delinquent bill through installments over a period of four months after subsection (A)(11) no longer applies.

R14-2-411. Administrative and Hearing Requirements

A. Customer service complaints

1. Each utility shall make a full and prompt investigation of all service complaints made by its customers, ~~either whether made~~ directly or through the Commission.
2. The utility shall respond to the complainant ~~and/or and~~ the Commission representative within five working days as to the status of the utility investigation of the complaint.
3. The utility shall notify the complainant ~~and/or and~~ the Commission representative of the final disposition of each complaint. Upon request of the complainant or the Commission representative, the utility shall report the findings of its investigation in writing.
4. The utility shall inform the customer of ~~his the right of to~~ appeal to the Commission if dissatisfied with the results of the utility's investigation or the final disposition of the complaint.
5. Each utility shall keep a record of all written service complaints received which shall contain, at a minimum, the following data:
 - a. Name and address of the complainant;
 - b. Date and nature of the complaint;
 - c. Disposition of the complaint; and
 - d. A copy of any correspondence between the utility, the customer, ~~and/or and~~ the Commission.

6. This record shall be maintained for a minimum period of one year and shall be available for inspection by the Commission.

B. Customer bill disputes

1. Any utility customer who disputes a portion of a bill rendered for utility service shall, prior to the delinquent date of the bill, pay the undisputed portion of the bill and notify the utility's designated representative that the unpaid amount is in dispute.
2. Upon receipt of the customer notice of dispute, the utility shall:
 - a. Notify the customer within five working days of the receipt of a written dispute notice;
 - b. Initiate a prompt investigation as to the source of the dispute;
 - c. Withhold termination of service until the investigation is completed and the customer is informed of the results, in writing if requested by the customer; and
 - d. Inform the customer of the right to appeal to the Commission if dissatisfied with the results of the utility's investigation.
3. Once the customer has received the results of the utility's investigation, the customer shall, within five working days, submit payment to the utility for any disputed amounts. Failure to make full payment shall be grounds for termination of service.

C. Commission resolution of service and bill disputes

1. In the event a customer and utility cannot resolve a service or bill dispute, the customer shall file a written statement of dissatisfaction with the Commission. By submitting a written statement of dissatisfaction to the Commission, the customer shall be deemed to have filed an informal complaint against the utility.
2. Within 30 days of the receipt of a written statement of customer dissatisfaction related to a service or bill dispute, a designated representative of the Commission shall endeavor to resolve the dispute through communications with the utility and the customer (written or telephonic or both). If resolution of the dispute is not achieved within 20 days of the Commission representative's initial effort, the Commission shall hold an informal hearing to arbitrate the resolution of the dispute. The informal hearing shall be governed by the following rules:
 - a. Each party may be represented by legal counsel, if desired.
 - b. All such informal hearings may be recorded or held in the presence of a stenographer.
 - c. Each party shall have the opportunity to present written or oral evidentiary material to support the party's position.
 - d. Each party and the Commission's representative shall have the opportunity to cross-examine each other party.
 - e. The Commission's representative shall render a written decision to all parties within five working days after the date of the informal hearing. The written decision of the Commission's representative is not binding on any of the parties, and the parties shall retain the right to make a formal complaint to the Commission.

3. The utility may implement normal termination procedures if the customer fails to pay all bills rendered during the resolution of the dispute by the Commission.
4. Each utility shall maintain a record of written statements of dissatisfaction and their resolution for a minimum of one year and make such records available for Commission inspection.

B.D. Notice by utility of responsible officer or agent

1. Each utility shall file with the Commission a written statement containing the name, address (business, residence, and ~~post-office-mailing~~) and telephone numbers (business and residence) of the onsite manager of its operations.
2. Each utility shall give notice, by filing a written statement with the Commission, of any change in the information required herein within five days from the date of any such change.

C.E. Time-frames for processing applications for Certificates of Convenience and Necessity

1. This rule prescribes time-frames for the Commission's processing of any application for a Certificate of Convenience and Necessity ~~issued by the Arizona Corporation Commission~~ filed pursuant to this Article. These time-frames shall apply to applications filed on or after the effective date of this rule.
2. Within 30 calendar days after receipt of an application for a new Certificate of Convenience and Necessity, or to amend or change the status of any existing Certificate of Convenience and Necessity, staff shall notify the applicant, in writing, that the application is either administratively complete or deficient. If the application is deficient, the notice shall specify all deficiencies.
3. Staff may ~~terminate~~ cease its review of an application if the applicant does not remedy all deficiencies within 60 calendar days of the notice of deficiency.
4. After receipt of a corrected application, staff shall notify the applicant within 30 calendar days if the corrected application is either administratively complete or deficient. The time-frame for administrative completeness review shall be suspended from the time the notice of deficiency is issued until staff determines that the application is complete.
5. Within 150 days after an application is deemed administratively complete, the Commission shall approve or reject the application.
6. For purposes of A.R.S. § 41-1072 et seq., the Commission has established the following time-frames:
 - a. Administrative completeness review time-frame: 30 calendar days.
 - b. Substantive review time-frame: 150 calendar days.
 - c. Overall time-time: 180 calendar days.
7. If an applicant requests, and is granted, an extension or continuance, the appropriate time-frames shall be tolled from the date of the request during the duration of the extension or continuance.
8. During the substantive review time-frame, the Commission may, upon its own motion or that of any interested party to the proceeding, ~~request a suspension of~~ suspend the time-frame rules.

F. Filing and availability of tariffs

1. Each utility shall file with the Commission, within 120 days after the effective date of new rules or requirements adopted by the Commission, or within a shorter period ordered by the Commission, tariffs that comply with the new rules or requirements adopted by the Commission.
2. Each utility shall file with the Commission any proposed changes to the utility's tariffs on file with the Commission, along with a statement of justification supporting the proposed changes.
3. A utility's proposed change to the utility's tariffs on file with the Commission shall not become effective until reviewed and approved by the Commission, except as provided for by law.
4. Each utility shall make its applicable tariffs available on its website and, upon request, either in paper form or in a readily accessible electronic format such as Adobe PDF.

D.G. Accounts and records

1. Each utility shall keep general and auxiliary accounting records reflecting the cost of its properties, operating income and expense, assets and liabilities, and all other accounting and statistical data necessary to give complete and authentic information as to its properties and operations.
2. Each utility shall maintain its books and records in conformity with the NARUC Uniform Systems of Accounts for Class A, B, C and D Water Utilities.
3. A utility shall produce or deliver in this state any or all of its formal accounting records and related documents requested by the Commission. It may, at its option, provide verified copies of original records and documents.
4. All utilities shall submit an annual report to the Commission, through the Utilities Division Compliance Section, on a form prescribed by it. The annual report shall be filed on or before the 15th day of April for the preceding calendar year. If the utility has received a report on the utility prepared by a certified or licensed public accountant, the utility shall include a copy of the report with its annual report submission.
5. All utilities shall ~~file with~~ submit to the Commission, through the Utilities Division Compliance Section, a copy of all reports required by the Securities and Exchange Commission.
6. ~~All utilities shall file with the Commission a copy of all annual reports required by the Federal Energy Regulatory Commission.~~

E.H. Maps. All utilities shall file with the Commission a map or maps clearly setting forth the location and extent of the area or areas they hold under approved certificates of convenience and necessity, in accordance with the Cadastral (Rectangular) Survey of the United States Bureau of Land Management, or by metes and bounds with a starting point determined by the aforesaid Cadastral Survey.

F.I. Variations, exemptions of Commission rules ~~and regulations~~. Variations or exemptions from the terms and requirements of any of the rules included herein (Title 14, Chapter 2, Article 4) shall be considered upon the verified application of an affected party to the Commission setting forth the circumstances whereby the public interest requires such variation or exemption from the Commission rules ~~and regulations~~. Such application will be subject to the review of the Commission, and any variation or exemption granted shall

require an order of the Commission. In case of conflict between these rules ~~and regulations~~ and an approved tariff or order of the Commission, the provisions of the tariff or order shall apply.

- G.J.** Prior agreements. The adoption of these rules by the Commission shall not affect any agreements entered into between the utility and customers or other parties who, pursuant to such contracts, arranged for the extension of facilities in a provision of service prior to the effective date of these rules.

ARTICLE 5. TELEPHONE UTILITIES

R14-2-501. Definitions

In this Article, unless the context otherwise requires, the following definitions shall apply:

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. No change
11. "Inability to pay" means a circumstance under which a residential customer:
 - a. Cannot pay the full balance of the customer's monthly bill;
 - b. Has signed a declaration and, if requested, has provided documentation issued by an Arizona or U.S. governmental agency or a licensed medical practitioner verifying that the customer:
 - i. Is at least 62 years of age;
 - ii. Has a physical or mental condition that substantially limits the customer's ability to manage resources, carry out activities of daily living, or secure protection from neglect or hazardous situations without assistance from others; or
 - iii. Has a medical condition that makes termination of water service especially dangerous to the customer's health; and
 - c. Meets one of the following:
 - i. Is not gainfully employed, as verified by documentation issued by the Arizona Department of Economic Security or the Arizona Department of Revenue;
 - ii. Qualifies for monetary government welfare assistance, as verified by documentation issued by the Arizona Department of Economic Security or the U.S. Social Security Administration, but has not yet begun to receive assistance;
or

- iii. Has an annual income below the published federal poverty level, as verified by documentation issued by the Arizona Department of Revenue or the U.S. Internal Revenue Service.

12. "Licensed medical practitioner" means one of the following health care providers, actively licensed to practice in Arizona:

- a. An allopathic or osteopathic physician,
b. A registered nurse practitioner, or
c. A physician assistant.

~~11.13.~~ No change

~~12.14.~~ No change

~~13.15.~~ No change

~~14.16.~~ No change

~~15.17.~~ No change

~~16.18.~~ "Rules." The means:

- a. In reference to Commission or other state agency rules, the provisions adopted and set forth in the Arizona Administrative Code; and
b. In reference to utility rules, the provisions regulations set forth in the utility's tariffs which that apply to the provision of telephone service.

~~17.19.~~ No change

~~18.20.~~ No change

~~19.21.~~ No change

~~20.22.~~ No change

~~21.23.~~ No change

24. "Terminate" or "Termination" means discontinue or discontinuance of telephone service to a customer's premises, by intentional action of the utility, and is synonymous with "disconnect" or "disconnection" as used in this Article.

~~22.25.~~ No change

26. "Third party" means a person willing to receive notification of a customer's pending termination of service and to make arrangements on behalf of the customer to prevent termination of service.

~~23.27.~~ No change

~~24.28.~~ No change

R14-2-507. Provision of Service

A. No change

B. No change

1. No change

2. No change

3. No change

4. No change
 5. No change
 - C. No change
 1. No change
 2. No change
 - D. Service interruptions
 1. No change
 2. No change
 3. No change
 4. When a utility plans to interrupt service for more than four hours to perform necessary repairs or maintenance, the utility shall attempt to inform affected customers, at least 2448 hours in advance, of the scheduled date and estimated duration of the service interruption. Such A utility shall complete repairs shall be completed in the shortest possible time to minimize the inconvenience to the customers of the utility.
 5. The A utility shall notify the Commission, Consumer Services Section, shall be notified of any major interruptions interruption in service affecting the entire system or any major division as follows:
 - a. By telephone or by submitting an Outage Report Form through the Commission's website, as soon as practicable after the responsible representative of the utility becomes aware of the interruption; and
 - b. If notice is made by telephone, by submitting a follow-up written report to the Commission, Consumer Services Section, within 24 hours after the initial notice.
 6. A utility's notification made under subsection (D)(5) shall include at least the following:
 - a. The name of the utility and of the responsible representative making the report,
 - b. The telephone number of the responsible representative,
 - c. The locations and number of customer connections affected by the outage,
 - d. The action taken by the utility to resolve the outage,
 - e. The duration of the outage, and
 - f. The cause of the outage.
 - E. No change
- R14-2-509. Termination of service**
- A. Nonpermissible reasons to disconnect service: Restrictions on termination of service: recordkeeping and repayment A utility may not disconnect service for any of the reasons stated below:
1. Delinquency A utility shall not terminate service to a customer due to delinquency in payment for services rendered to a prior customer at the premises where service is being provided, except in the instance where unless the prior customer continues to reside on the premises.

2. ~~Failure of the customer~~ A utility shall not terminate service to a customer due to the customer's failure to pay for services or equipment which that are not regulated by the Commission.
3. ~~Residential~~ A utility shall not terminate residential service may not be disconnected to a customer due to the customer's nonpayment of a bill related to another class of service.
4. ~~Failure~~ A utility shall not terminate service to a customer due to the customer's failure to pay for the portion of a bill imposed to correct a billing previous underbilling error, provided that if the customer agrees to pay the portion of the bill attributable to correction of underbilling in full over a reasonable period of time months established by the utility.
5. A utility shall not terminate residential service where the to a customer who has an inability to pay if the customer can establish, on an annual basis, through documentation from a licensed medical practitioner that, in the opinion of the licensed medical physician practitioner, termination would be especially dangerous to the health of the customer or a permanent resident residing on the customer's premises.
6. A utility shall not terminate residential service to a customer who has an inability to pay until the utility has complied with subsection (D) and completed all of the following:
 - a. The utility has informed the customer of the availability of funds from various government and social assistance agencies and provided the customer the contact information for those agencies;
 - b. If a third party has previously been designated by the customer to receive delinquency and termination information, the utility has notified the third party that the customer's bill is delinquent and allowed the third party three days to make arrangements to pay the delinquent utility bill, after which the delinquent bill has not been paid;
 - c. At least 48 hours before the date upon which termination would occur, the utility has:
 - i. Notified the customer or an adult resident of the premises in person at the address where service is provided, or
 - ii. Made at least two efforts for in-person contact, at the customer's residence, during each of which the utility has posted written notices in two conspicuous locations at the residence, such as on a front door and on or next to a garage door or carport door. In-person contact may include engaging in conversation via telephone with the customer.
 - d. The utility shall not be required to perform an in-person visit with a customer who has previously threatened the utility or its employee. The utility shall maintain documentation of all threatening occurrences.
 - e. After completing the requirements of subsections (A)(6)(a) through (c), the utility has telephoned the customer to provide notice of the termination by speaking to the customer or an adult resident of the premises or by leaving a voice message.
7. A utility shall retain for three years records demonstrating its compliance with subsection (A)(6).

8. If a utility would have terminated a customer's service but for subsection (A)(5), the utility shall:

- a. Immediately notify the customer, using the customer's preferred method of communication on file, of:
 - i. The reason the utility is not permitted to disconnect service,
 - ii. The expected date on which termination of service will be permissible, and
 - iii. The customer's responsibilities under subsection (H);
- b. Not impose any late fees or interest on any past due amounts that otherwise would have accrued while subsection (A)(5) applies; and
- c. Require the customer, within 15 days after subsection (A)(5) no longer applies, either to pay the delinquent bill in full or to enter into a payment plan to repay the delinquent bill through installments over a period of four months.

5-9. Failure ~~A utility shall not terminate service to a customer's premises due to the customer's failure to pay the bill of another customer as guarantor thereof unless guarantor does not make acceptable payment arrangements.~~

6-10. Disputed bills where ~~A utility shall not terminate service due to a customer's failure to pay the disputed portion of a bill if the customer has complied with the Commission's rules on complaints R14-2-510(B).~~

11. A utility shall not terminate residential service to a customer unless the utility's call centers and office or business facilities are open and available to the public on the day of termination and the day following the day of termination.

12. A utility shall not terminate residential service to a customer if the customer has paid at least half of the customer's delinquent bill balance within the last 25 days or if the customer's delinquent bill balance is less than or equal to \$75.00.

13. If a customer has a deposit with a utility, the utility shall use the deposit to pay any delinquent amount on the customer's account before terminating service and shall allow the customer time to repay the deposit in installments over a period of four months.

14. Upon termination of residential service, the utility shall ensure that the residential customer will have access to all N-1-1 service numbers for 45 days after the date of termination.

B. Termination of service without notice; recordkeeping requirement

1. ~~Utility service may be disconnected~~ A utility may terminate service to a customer's premises without advance written notice under the following conditions if:

- a. ~~The existence of~~ Failure to terminate service would result in an obvious hazard to the safety or health of the consumer or customer, the general population, or the utility's personnel or facilities; or
- b. The utility has evidence of tampering or evidence of fraud related to the customer or the customer's premises.

2. The A utility that has terminated service under subsection (B)(1) shall not be required to restore service until the ~~conditions which~~ situation that resulted in the termination ~~have~~ has been corrected to the satisfaction of the utility.
3. ~~Each~~ A utility shall maintain a record of all terminations of service without notice. This record shall be maintained for a minimum of one year and shall be available for inspection by the Commission.
4. The provisions of R14-2-509(A)(6) shall not apply to this subsection.

C. Termination of service with notice

1. ~~A Except as provided in subsection (A), a utility may disconnect terminate service to any customer a customer's premises for any reason stated below of the following reasons, provided that the utility has met complied with the notice requirements established by the Commission of subsection (D):~~
 - a. ~~Customer violation of any of the utility's tariffs filed with the Commission and/or violation or of the Commission's rules and regulations.~~
 - b. ~~Failure of the customer to pay a delinquent bill for utility service.~~
 - c. ~~Failure of the customer to meet or maintain the utility's credit and deposit requirements.~~
 - d. ~~Failure of the customer to provide the utility reasonable access to its equipment and property.~~
 - e. ~~Customer breach of contract for service between the utility and customer.~~
 - f. ~~When necessary for the utility to comply with an order of any governmental agency having such jurisdiction, or~~
 - g. ~~Unauthorized resale of equipment or service by the customer.~~
2. ~~Each~~ A utility shall maintain a record of all terminations of service with notice. This record shall be maintained for one year and shall be available for Commission inspection.

D. Termination notice requirements; disputes

1. ~~No Unless subsection (F) applies, at least 10 days before a utility shall terminate terminates service to any of its customers without providing a customer's premises under subsection (C), the utility shall provide the customer advance written notice to the customer of the utility's intent to disconnect terminate service, except under those conditions specified where advance written notice is not required using the customer's preferred method of communication on file.~~
2. ~~Such advance written notice shall contain, at a minimum, A utility shall include at least the following information in an advance notice required under subsection (D)(1):~~
 - a. ~~The name of the person customer whose service is to be terminated and the telephone number and address where service is being rendered;~~
 - b. ~~If service is to be terminated because the customer has violated a utility tariff or Commission rule, the name of the utility tariff or Commission rule violated and an explanation of the violation;~~

- ~~b.c.~~ The utility rules or regulation that was violated and explanation thereof or If service is to be terminated because the customer has failed to pay a delinquent bill for utility service, the amount of the bill which the customer has failed to pay in accordance with the payment policy of the utility, if applicable, and the date payment was due;
 - ~~d.~~ If service is to be terminated because the customer has failed to meet or maintain the utility's deposit requirements, the amount the customer has on deposit and the amount the customer is required to have on deposit;
 - ~~e.~~ If service is to be terminated because the customer has failed to provide the utility reasonable access to its equipment and property, a description of the access required and a description, including dates, of the customer's failure to provide access;
 - ~~f.~~ If service is to be terminated because the customer has breached a written contract for service between the customer and the utility, identification of the contract provision breached and a description of the circumstances constituting a breach;
 - ~~g.~~ If service is to be terminated because the termination is necessary for the utility to comply with an order of any governmental agency having such jurisdiction, a description and, if possible, a copy of the order;
 - ~~h.~~ If service is to be terminated because the customer has engaged in unauthorized resale of equipment or service, a description of the circumstances, including dates, constituting such resale;
 - ~~e.i.~~ The date on or after which service may be terminated;
 - ~~d.j.~~ A statement advising the customer to contact the utility at a specific address or phone number for to receive information regarding any deferred billing payment program or other procedures which the utility may offer, or to work out some other a mutually agreeable solution to avoid termination of the customer's service; and
 - ~~k.~~ A description of the requirements of subsection (D)(3), along with the specific address or phone number for the customer to use to raise a dispute.
3. A utility shall ensure that a customer is afforded the right to dispute the utility's stated reason for the termination, in accordance with the following:
- a. A utility shall maintain a specific address or phone number for customers to use to raise a dispute with the utility;
 - b. To dispute a utility's reason for termination, a customer shall contact the utility at the specific address or phone number, before the scheduled date of termination, advising the utility of the dispute and requesting to discuss the cause for termination with a responsible employee of the utility;
 - c. If a customer raises a dispute, a utility shall ensure that a responsible employee of the utility, who is empowered to resolve the customer's dispute, discusses the cause for termination with the customer before the scheduled termination date;

- d. If a utility determines after discussion with a disputing customer that the reason for termination is just, the utility may terminate service to the customer, unless prohibited by subsection (A); and
- e. If a utility decides to terminate service to a disputing customer as permitted in subsection (D)(3)(d), the utility shall inform the customer of the termination and of the customer's right to file a complaint with the Commission.
- 4. If a customer has designated a third party for the customer's account, a utility shall ensure that a copy of each termination notice provided to the customer is simultaneously sent to the designated third party.

E. Timing of terminations with notice

- 1. Each A utility shall be required to give at least five days provide the advance written notice prior to the termination date required by subsection (D)(1) by providing a copy of the advance notice to the customer, using the customer's preferred method of communication on file, or by placing the advance notice, with first class postage prepaid and addressed to the customer's last known address, in the U.S. mail.
- 2. Such notice shall be considered to be given to the customer when a copy thereof is left with the customer or posted first class in the United States mail, addressed to the customer's last known address.
- 3.2. If after the period of time allowed by the advance notice has elapsed, and the delinquent account has not been paid nor arrangements made with the utility for the payment thereof or in the case of a violation of the utility's rules the customer has not satisfied the utility that such violation has ceased customer has not remedied the cause for termination to the utility's satisfaction, the utility shall provide the customer a final notice, two days before the termination date specified, using the customer's preferred method of communication on file. If the customer has not remedied the cause for termination after the two days have passed, and subsection (A) does not apply, the utility may then terminate service on or after the day specified in the final notice without giving further notice.
- 4.3. The A utility may terminate service on a temporary basis by discontinuing the customer's line access at the central office.
- 5.4. The A utility shall have the right (but not the obligation) to remove any or all of its property installed on the a customer's premises upon the termination of service.
- 5. A utility may only terminate service after compliance with subsection R14-2-509(A)(6).
- 6. The terms and conditions of these rules shall apply in all circumstances except those superseded by the provisions of the high toll usage notification procedures.

F. High toll usage monitoring/notification procedures

- 1. Each A telephone utility may establish a high toll usage monitoring/notification system to identify and address unexplained or excessive unusually high increases in customer toll usage during

interim periods between the issuance of bills ~~in accordance with~~ under the utility's established billing cycle. ~~The intent of such a~~ A utility shall use its monitoring/notification system is to enable telephone utilities :

- a. ~~to~~ To identify situations where it is unlikely that the ~~when a customer has accrued unusually high toll services for which will the customer is unlikely to be able to pay for toll services already provided as well as , and~~
 - b. ~~to~~ To prevent the accrual of additional billings the customer from continuing to accrue unusually high toll services when the risk of loss to the utility is increasingly evident.
2. ~~Each~~ A utility which that establishes a high toll monitoring/notification system shall develop and operate ~~such the system and be governed by in accordance with the following provisions and procedures:~~
- a. ~~Each~~ The utility shall establish a "normal" amount of toll usage by customer class ~~and length of service. The normal amount of toll usage shall be , based upon the actual average usage by the customer class, and may divide the class into subclasses by length of service to establish average usage by subclasses.~~
 - b. ~~Increases~~ The utility shall not consider a customer's increase in toll usage shall not be considered to be unexplained or excessive unusually high until the amount of toll usage incurred on the customer's account between billing periods is at least two times the normal amount of monthly toll usage for that customer customer's account or for the customer class or subclass.
 - c. ~~When this situation occurs~~ If the utility identifies an unusually high increase in toll usage on a customer's account, the utility shall review the following, to assess whether the customer has the ability to pay for the toll charges accrued according to the payment terms of the utility's tariffs when a normal billing is rendered:
 - i. ~~The individual~~ The customer's billing history, ~~to determine if the volume of increase in toll usage should be considered excessive unusually high for that particular the customer;~~
 - ii. ~~Prior~~ The customer's payment history;
 - iii. ~~Amount~~ The amount of customer deposit held ~~for the customer, if any; and~~
 - iv. ~~Length of customer~~ The length of utility service to the customer's account assess the ability of the customer to pay such toll charges according to the payment terms of the utility when a normal billing is rendered.
 - d. ~~If the review of the customer's previous billing and payment history performed under subsection (F)(2)(c) indicates it is unlikely that the customer shall be able~~ has the ability to pay such bill for the toll charges accrued according to the payment terms of the utility's tariffs when a normal billing is rendered, the utility may contact the customer to

~~make inquiries concerning the abnormal~~ ask for an explanation of the unusually high toll usage.

e. ~~If the utility determines that the customer's explanation of the unusually high toll service is not satisfactory, the utility may require the customer, as a condition for continuing service, to provide security, and/or payment of to pay the outstanding toll charges in whole or in part, or to provide security and pay the outstanding toll charges in whole or in part on the account to continue service.~~

e.f. ~~The If the customer fails to comply with the requirements imposed by the utility under subsection (F)(2)(e) within 48 hours after the customer is informed of the requirements, the utility may terminate service provided the customer is given 48 hours advance notice and the customer makes no further attempt to secure and or pay the account in order to continue service.~~

f.g. ~~The 48-hour notification rule shall be waived and~~ Notwithstanding subsection (F)(2)(f), ~~the utility may terminate service may be terminated to the customer immediately in those situations where if the utility determines, based on the review completed under subsection (F)(2)(c) and the customer's explanation offered during the contact made under subsection (F)(2)(d), that intentional the customer abuse of toll usage is evident is abusively accruing toll charges that the customer does not intend or have the ability to pay.~~

G. ~~Landlord/tenant rule. If service is rendered at an address different from the mailing address of the bill, or the utility knows that a landlord/tenant relationship exists and that the landlord is the customer of the utility, and the customer account becomes subject to termination of service under subsection (C):~~

1. ~~In addition to complying with subsections (D) and (E), the utility shall offer the occupant an opportunity to subscribe for service in the occupant's name.~~
2. ~~If the occupant declines to subscribe to service in the occupant's name, the utility may terminate service as permitted under subsections (C) through (E).~~
3. ~~The utility shall not require or attempt to require an occupant to pay any outstanding bills or other charges due on the account of the landlord.~~

H. ~~Customer responsibility~~

1. ~~A customer shall be responsible for managing toll usage when a utility is not permitted to terminate service to the customer under subsection (A).~~
2. ~~A customer shall be financially responsible for any bill accrued during a period when a utility is not permitted to terminate service to the customer under subsection (A).~~
3. ~~A customer shall, within 15 days after receiving utility notice under subsection (A)(8)(a):~~
 - i. ~~Agree to pay the outstanding bill in full within 15 days after subsection (A)(5) no longer applies, or~~

- ii. Enter into a payment plan to repay the delinquent bill through installments over a period of four months after subsection (A)(5) no longer applies.

R14-2-510. Administrative and Hearing Requirements

A. Customer service complaints

1. Each utility shall make a full and prompt investigation of all service complaints made by its customers, either directly or through the Commission.
2. The utility shall respond to the complainant ~~and/or~~ and the Commission representative within five working days as to the status of the utility investigation of the complaint.
3. The utility shall notify the complainant ~~and/or~~ and the Commission representative of the final disposition of each complaint. Upon request of the complainant or the Commission representative, the utility shall report the findings of its investigation in writing.
4. The utility shall inform the customer of the right to appeal to the Commission if dissatisfied with the results of the utility's investigation or the final disposition of the complaint.
- 4.5. Each utility shall keep a record of all written service complaints received which shall contain, at a minimum, the following data:
 - a. Name and address of complainant;
 - b. Date and nature of the complaint;
 - c. Disposition of the complaint; and
 - d. A copy of any correspondence between the utility, the customer, ~~and/or~~ and the Commission.
- 5.6. This record shall be maintained for a minimum period of one year and shall be available for inspection by the Commission.

B. Customer bill disputes

1. Any utility customer who disputes a portion of a bill rendered for utility service shall, prior to the delinquent date of the bill, pay the undisputed portion of the bill and notify the utility's designated representative that ~~such the~~ the unpaid amount is in dispute ~~prior to the delinquent date of the bill~~.
2. Upon receipt of the customer notice of dispute, the utility shall:
 - a. Notify the customer within five working days of the receipt of a written dispute notice;
 - b. Initiate a prompt investigation as to the source of the dispute;
 - c. Withhold ~~disconnection~~ termination of service until the investigation is completed and the customer is informed of the results, in writing if requested by the customer; and
 - d. Inform the customer of the right to appeal to the Commission if dissatisfied with the results of the utility's investigation.
3. Once the customer has received the results of the utility's investigation, the customer shall within five working days submit payment ~~within five working days~~ to the utility for any disputed amounts. Failure to make full payment shall be grounds for termination of service. ~~Prior to termination inform the customer of his right of appeal to the Commission.~~

C. Commission resolution of service ~~and/or~~ and bill disputes

1. In the event a customer and utility cannot resolve a service ~~and/or~~ or bill dispute, the customer shall file a written statement of dissatisfaction with the Commission; ~~by~~ By submitting ~~such notice~~ a written statement of dissatisfaction to the Commission, the customer shall be deemed to have filed an informal complaint against the utility.
2. Within 30 days of the receipt of a written statement of customer dissatisfaction related to a service or bill dispute, a designated representative of the Commission shall endeavor to resolve the dispute ~~by correspondence and/or telephone~~ through communications with the utility and the customer (written or telephonic or both). If resolution of the dispute is not achieved within 20 days of the Commission representative's initial effort, the Commission shall hold an informal hearing to arbitrate the resolution of the dispute. The informal hearing shall be governed by the following rules:
 - a. Each party may be represented by legal counsel, if desired.
 - b. All such informal hearings may be recorded or held in the presence of a stenographer.
 - c. ~~All parties will~~ Each party shall have the opportunity to present written or oral evidentiary material to support the ~~positions of the individual parties~~ party's position.
 - d. ~~All parties~~ Each party and the Commission's representative shall ~~be given~~ have the opportunity ~~for cross-examination of the various parties~~ to cross-examine each other party.
 - e. The Commission's representative ~~will~~ shall render a written decision to all parties within five working days after the date of the informal hearing. ~~Such~~ The written decision of the ~~arbitrator~~ Commission's representative is not binding on any of the parties, and the parties ~~will still have~~ shall retain the right to make a formal complaint to the Commission.
3. The utility may implement normal termination procedures if the customer fails to pay all bills rendered during the resolution of the dispute by the Commission.
4. Each utility shall maintain a record of written statements of dissatisfaction and their resolution for a minimum of one year and make such records available for Commission inspection.

D. Notice by utility of responsible officer or agent

1. Each utility shall file with the Commission a written statement containing the name, address (business, residence, and ~~post office~~ mailing) and telephone numbers (business and residence) of at least one officer, agent, or employee responsible for the general management of its operations as a utility in Arizona.
2. Each utility shall give notice, by filing a written statement with the Commission, of any change in the information required herein within five days from the date of any such change.

E. Time-frames for processing applications for Certificates of Convenience and Necessity

1. This rule prescribes time-frames for the processing of any application for a Certificate of Convenience and Necessity issued by the ~~Arizona Corporation~~ Commission pursuant to this

Article. These time-frames shall apply to applications filed on or after the effective date of this rule.

2. Within 30 calendar days after receipt of an application for a new Certificate of Convenience and Necessity, or to amend or change the status of any existing Certificate of Convenience and Necessity, staff shall notify the applicant, in writing, that the application is either administratively complete or deficient. If the application is deficient, the notice shall specify all deficiencies.
3. Staff may ~~terminate~~ cease its review of an application if the applicant does not remedy all deficiencies within 60 calendar days of the notice of deficiency.
4. After receipt of a corrected application, staff shall notify the applicant within 30 calendar days if the corrected application is either administratively complete or deficient. The time-frame for administrative completeness review shall be suspended from the time the notice of deficiency is issued until staff determines that the application is complete.
5. Within 150 days after an application is deemed administratively complete, the Commission shall approve or reject the application.
6. For purposes of A.R.S. § 41-1072 et seq., the Commission has established the following time-frames:
 - a. Administrative completeness review time-frame: 30 calendar days,
 - b. Substantive review time-frame: 150 calendar days, and
 - c. Overall time-frame: 180 calendar days.
7. If an applicant requests, and is granted, an extension or continuance, the appropriate time-frames shall be tolled from the date of the request during the duration of the extension or continuance.
8. During the substantive review time-frame, the Commission may, upon its own motion or that of any interested party to the proceeding, ~~request a suspension of~~ suspend the time-frame rules.

F. Filing of rules and regulations and availability of tariffs

1. Each utility shall file with the Commission, within 120 days after the effective date of new rules or requirements adopted by the Commission, or within a shorter period ordered by the Commission, ~~tariffs which are in compliance that comply with the new rules and regulations promulgated or requirements adopted by the Arizona Corporation Commission within 120 days of the adoption of such rules by the Commission.~~
2. ~~Any~~ Each utility shall file with the Commission any proposed changes to the utility's tariffs on file with the Commission, along with ~~shall be accompanied by~~ a statement of justification supporting the proposed ~~change in tariff changes.~~
3. ~~Any~~ A utility's proposed change to the utility's tariffs on file with the Commission shall not be ~~become~~ effective until reviewed and approved by the Commission, except as provided for by law.
4. Each utility shall make its applicable tariffs available on its website and, upon request, either in paper form or in a readily accessible electronic format such as Adobe PDF.

G. Accounts and records

1. Each utility shall keep general and auxiliary accounting records reflecting the cost of its properties, operating income and expense, assets and liabilities, and all other accounting and statistical data necessary to give complete and authentic information as to its properties and operations.
 2. Each utility shall maintain its books and records in conformity with the Uniform Systems of Accounts for Class A, B, C and D Telephone Utilities as adopted and amended by the Federal Communications Commission or, for telephone cooperatives, as promulgated by the Rural Electrification Administration.
 3. A utility shall produce or deliver in this state any or all of its formal accounting records and related documents requested by the Commission. It may, at its option, provide verified copies of original records and documents.
 4. All utilities shall submit an annual report to the Commission through the Utilities Division Compliance Section, on a form prescribed by it. The annual report shall be filed on or before the 15th day of April for the preceding calendar year. ~~Reports~~ If the utility has received a report on the utility prepared by a certified or licensed public accountant on the utility, if any, the utility shall accompany the include a copy of the report with its annual report submission.
 5. All utilities shall ~~file with~~ submit to the Commission, through the Utilities Division Compliance Section, a copy of all reports required by the Securities and Exchange Commission.
 6. All utilities shall ~~file with~~ submit to the Commission, through the Utilities Division Compliance Section, a copy of all annual reports required by the Federal Communications Commission and in addition, for telephone cooperatives, annual reports required by the Rural Electrification Administration.
- H. Maps. All utilities shall file with the Commission a map or maps clearly setting forth the location and extent of the area or areas they hold under approved certificates of convenience and necessity, in accordance with the Cadastral (Rectangular) Survey of the United States Bureau of Land Management, or by metes and bounds with a starting point determined by the aforesaid Cadastral Survey.
- I. Variations, exemptions of Commission rules ~~and regulations~~. Variations or exemptions from the terms and requirements of any of the rules included herein (Title 14, Chapter 2, Article 5) shall be considered upon the verified application of an affected party to the Commission setting forth the circumstances whereby the public interest requires such variation or exemption from the Commission rules ~~and regulations~~. Such application will be subject to the review of the Commission, and any variation or exemption granted shall require an order of the Commission. In case of conflict between these rules ~~and regulations~~ and an approved tariff or order of the Commission, the provisions of the tariff or order shall apply.
- J. Prior agreements. The adoption of these rules by the Commission shall not affect any agreements entered into between the utility and customers or other parties who, pursuant to such contracts, arranged for the extension of facilities in a provision of service prior to the effective date of these rules.

ARTICLE 6. SEWER UTILITIES

R14-2-601. Definitions

In this Article, unless the context otherwise requires, the following definitions shall apply.

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. No change
11. No change
12. No change
13. "Inability to pay" means a circumstance under which a residential customer:
 - a. Cannot pay the full balance of the customer's monthly bill;
 - b. Has signed a declaration and, if requested, has provided documentation issued by an Arizona or U.S. governmental agency or a licensed medical practitioner verifying that the customer:
 - i. Is at least 62 years of age;
 - ii. Has a physical or mental condition that substantially limits the customer's ability to manage resources, carry out activities of daily living, or secure protection from neglect or hazardous situations without assistance from others; or
 - iii. Has a medical condition that makes termination of service especially dangerous to the customer's health; and
 - c. Meets one of the following:
 - i. Is not gainfully employed, as verified by documentation issued by the Arizona Department of Economic Security or the Arizona Department of Revenue;
 - ii. Qualifies for monetary government welfare assistance, as verified by documentation issued by the Arizona Department of Economic Security or the U.S. Social Security Administration, but has not yet begun to receive assistance;
or
 - iii. Has an annual income below the published federal poverty level, as verified by documentation issued by the Arizona Department of Revenue or the U.S. Internal Revenue Service.
14. "Licensed medical practitioner" means one of the following health care providers, actively licensed to practice in Arizona:

- a. An allopathic or osteopathic physician.
b. A registered nurse practitioner, or
c. A physician assistant.
- ~~13.15.~~ No change
~~14.16.~~ No change
~~15.17.~~ No change
~~16.18.~~ No change
~~17.19.~~ No change
~~18.20.~~ No change
~~19.21.~~ No change
~~20.22.~~ No change
~~21.23.~~ "Rules." The means:
a. In reference to Commission or other state agency rules, the provisions adopted and set forth in the Arizona Administrative Code; and
b. In reference to utility rules, the provisions regulations set forth in the utility's tariffs which that apply to the provision of sewer service.
- ~~22.24.~~ No change
~~23.25.~~ No change
~~24.26.~~ No change
~~25.27.~~ "Service reconnect charge." The means the charge as specified in the a utility's tariffs which that must be paid by the a customer prior to reconnection reestablishment of sewer service each time the customer's sewer service is disconnected terminated for nonpayment or whenever service is discontinued for failure otherwise to comply with the utility's fixed rules tariffs.
~~26.28.~~ "Service reestablishment charge." A means the charge as specified in the a utility's tariffs for that must be paid to reinitiate service at the same location where the same customer had ordered a service disconnection termination within the preceding 12-month period.
- ~~27.29.~~ No change
~~28.30.~~ No change
~~29.31.~~ No change
~~30.32.~~ No change
33. "Terminate" or "Termination" means discontinue or discontinuance of sewer service to a customer's premises, by intentional action of the utility, and is synonymous with "disconnect" or "disconnection" as used in this Article.
34. "Third party" means a person willing to receive notification of a customer's pending termination of service and to make arrangements on behalf of the customer to prevent termination of service.
~~31.35.~~ No change

R14-2-607. Provision of Service

- A. No change
1. No change
 2. No change
- B. No change
1. No change
 2. No change
- C. No change
1. No change
 2. No change
 3. No change
- D. Service interruption
1. No change
 2. No change
 3. No change
 4. When a utility plans to interrupt service for more than four hours to perform necessary repairs or maintenance, the utility shall attempt to inform affected customers, at least 2448 hours in advance, of the scheduled date and estimated duration of the service interruption. Such A utility shall complete repairs shall be completed in the shortest possible time to minimize the inconvenience to the customers of the utility.
 5. The A utility shall notify the Commission, Consumer Services Section, shall be notified of any interruptions interruption in service affecting the entire system or any major division thereof. as follows:
 - a. The interruption of service and cause shall be reported By telephone or by submitting an Outage Report Form through the Commission's website, within four hours as soon as practicable after the responsible representative of the utility becomes aware of said the interruption; and
 - b. If the notice is made by telephone, to the Commission by submitting a follow-up and followed by a written report to the Commission, Consumer Services Section, within 24 hours after the initial notice.
 6. A utility's notification made under subsection (D)(5) shall include at least the following:
 - a. The name of the utility and of the responsible representative making the report,
 - b. The telephone number of the responsible representative,
 - c. The locations and number of customer connections affected by the outage,
 - d. The action taken by the utility to resolve the outage,
 - e. The start and end times of the outage,
 - f. The duration of the outage, and
 - g. The cause of the outage.
- E. No change

R14-2-609. Termination of Service

A. ~~Nonpermissible reasons to disconnect service; Restrictions on termination of service; recordkeeping and repayment requirements. A utility may not disconnect service for any of the reasons stated below:~~

1. ~~Delinquency~~ A utility shall not terminate service to a customer due to delinquency in payment for services rendered to a prior customer at the premises where service is being provided, ~~except in the instance where~~ unless the prior customer continues to reside on the premises.
2. ~~Failure of the customer~~ A utility shall not terminate service to a customer due to the customer's failure to pay for services or equipment ~~which that~~ are not regulated by the Commission.
3. ~~Nonpayment~~ A utility shall not terminate service to a customer due to the customer's nonpayment of a bill related to another class of service.
4. ~~Failure~~ A utility shall not terminate service to a customer due to the customer's failure to pay for the portion of a bill imposed to correct a previous underbilling due to a billing error if, provided that the customer agrees to pay the portion of the bill attributable to correction of underbilling in full over a reasonable period of time months established by the utility.
5. ~~Disputed bills where~~ A utility shall not terminate service due to a customer's failure to pay the disputed portion of a bill if the customer has complied with the Commission's rules and regulations R14-2-610(B).
6. A utility shall not terminate residential service where the to a customer who has an inability to pay if the customer can establish, on an annual basis, through documentation from a licensed medical practitioner that, in the opinion of the licensed medical physician practitioner, termination would be especially dangerous to the health of the customer or a permanent resident residing on the customer's premises.
7. A utility shall not terminate residential service to a customer who has an inability to pay until the utility has complied with subsection (D) and completed all of the following:
 - a. The utility has informed the customer of the availability of funds from various government and social assistance agencies and provided the customer the contact information for those agencies;
 - b. If a third party has previously been designated by the customer to receive delinquency and termination information, the utility has notified the third party that the customer's bill is delinquent and allowed the third party three days to make arrangements to pay the delinquent utility bill, after which the delinquent bill has not been paid;
 - c. At least 48 hours before the date upon which termination would occur, the utility has:
 - i. Notified the customer or an adult resident of the premises in person at the address where service is provided; or
 - ii. Made at least two efforts for in-person contact, at the customer's residence, during each of which the utility has posted written notices in two conspicuous locations at the residence, such as on a front door and on or next to a garage

door or carport door. In-person contact may include engaging in conversation via telephone with the customer.

- d. The utility shall not be required to perform an in-person visit with a customer who has previously threatened the utility or its employee. The utility shall maintain documentation of all threatening occurrences.
- e. After completing the requirements of subsections (A)(7)(a) through (c), the utility has telephoned the customer to provide notice of the termination by speaking to the customer or an adult resident of the premises or by leaving a voice message.
- 8. A utility shall retain for three years records demonstrating its compliance with subsection (A)(7).
- 9. If a utility would have terminated a customer's service but for subsection (A)(6), the utility shall:
 - a. Immediately notify the customer, using the customer's preferred method of communication on file, of:
 - i. The reason the utility is not permitted to disconnect service,
 - ii. The expected date on which termination of service will be permissible, and
 - iii. The customer's responsibilities under subsection (G);
 - b. Not impose any late fees or interest on any past due amounts that otherwise would have accrued while subsection (A)(6) applies; and
 - c. Require the customer, within 15 days after subsection (A)(6) no longer applies, either to pay the delinquent bill in full or to enter into a payment plan to repay the delinquent bill through installments over a period of four months.
- 10. A utility shall not terminate service to a customer's premises due to the customer's failure to pay the bill of another customer as guarantor thereof.
- 11. A utility shall not terminate residential service to a customer unless the utility's call centers and office or business facilities are open and available to the public on the day of termination and the day following the day of termination.
- 12. A utility shall not terminate residential service to a customer if the customer has paid at least half of the customer's delinquent bill balance within the last 25 days or if the customer's delinquent bill balance is less than or equal to \$75.00.
- 13. If a customer has a deposit with a utility, the utility shall use the deposit to pay any delinquent amount on the customer's account before terminating service and shall allow the customer time to repay the deposit in installments over a period of four months.

B. Termination of service without notice; recordkeeping requirement

- 1. Utility service may be disconnected A utility may terminate service to a customer's premises without advance written notice under the following conditions if:
 - a. The existence of Failure to terminate service would result in an obvious hazard to the safety or health of the consumer or customer, the general population, or the utility's personnel or facilities; or

- b. The utility has evidence of fraud related to the customer or the customer's premises.
2. ~~The A utility that has terminated service under subsection (B)(1)~~ shall not be required to restore service until the ~~conditions which situation that~~ situation that resulted in the termination ~~have~~ has been corrected to the satisfaction of the utility.
3. ~~Each A~~ utility shall maintain a record of all terminations of service without notice. This record shall be maintained for a minimum of one year and shall be available for inspection by the Commission.
4. The provisions of R14-2-609(A)(7) shall not apply to this subsection.

C. Termination of service with notice

1. ~~A Except as provided in subsection (A), a utility may disconnect terminate service to any customer a customer's premises for any reason stated below of the following reasons, provided that the utility has met complied with the notice requirements established by the Commission of subsection (D):~~
 - a. Customer violation of any of the utility's tariffs or of the Commission's rules;
 - b. Failure of the customer to pay a delinquent bill for utility service;
 - c. Failure of the customer to meet or maintain the utility's ~~credit and~~ deposit requirements;
 - d. Failure of the customer to provide the utility reasonable access to its equipment and property;
 - e. Customer breach of a written contract for service between the utility and customer;
 - f. When necessary for the utility to comply with an order of any governmental agency having such jurisdiction; or
 - g. Unauthorized resale of equipment or service by the customer.
2. ~~Each A~~ utility shall maintain a record of all terminations of service with notice. This record shall be maintained for one year and shall be available for Commission inspection.

D. Termination notice requirements; disputes

1. ~~No At least 10 days before a utility shall terminate terminates service to any of its customers a customer's premises under subsection (C), the utility shall provide the customer without providing advance written notice to the customer of the utility's intent to disconnect terminate service, except under those conditions specified where advance written notice is not required using the customer's preferred method of communication on file.~~
2. ~~Such A~~ utility shall include at least advance written notice shall contain, at a minimum, the following information in an advance notice required under subsection (D)(1):
 - a. The name of the ~~person~~ customer whose service is to be terminated and the address where service is being rendered;
 - b. If service is to be terminated because the customer has violated a utility tariff or Commission rule, the name of the utility tariff or Commission rule violated and an explanation of the violation;

- b.c. ~~The Commission rule or regulation that was violated and explanation thereof or~~ If service is to be terminated because the customer has failed to pay a delinquent bill for utility service, the amount of the bill which the customer has failed to pay in accordance with the payment policy of the utility, if applicable, and the date payment was due;
 - d. If service is to be terminated because the customer has failed to meet or maintain the utility's deposit requirements, the amount the customer has on deposit and the amount the customer is required to have on deposit;
 - e. If service is to be terminated because the customer has failed to provide the utility reasonable access to its equipment and property, a description of the access required and a description, including dates, of the customer's failure to provide access;
 - f. If service is to be terminated because the customer has breached a written contract for service between the customer and the utility, identification of the contract provision breached and a description of the circumstances constituting a breach;
 - g. If service is to be terminated because the termination is necessary for the utility to comply with an order of any governmental agency having such jurisdiction, a description and, if possible, a copy of the order;
 - h. If service is to be terminated because the customer has engaged in unauthorized resale of equipment or service, a description of the circumstances, including dates, constituting such resale;
 - e.i. The date on or after which service may be terminated-;
 - j. A statement advising the customer to contact the utility at a specific address or phone number to receive information regarding any deferred payment program or other procedures the utility may offer, or to work out a mutually agreeable solution to avoid termination of the customer's service; and
 - d.k. A statement advising the customer that A description of the requirements of subsection (D)(3), along with the specific address or phone number for the customer to use to raise a dispute.
3. A utility shall ensure that a customer is afforded the right to dispute the utility's stated reason for the termination of services may be disputed , in accordance with the following:
- a. A utility shall maintain a specific address or phone number for customers to use to raise a dispute with the utility;
 - b. To dispute a utility's reason for termination, a customer shall by contacting contact the utility at a the specific address of phone number, before the scheduled date of termination, advising the utility of the dispute and making arrangements requesting to discuss the cause for termination with a responsible employee of the utility in advance of the scheduled date of termination.;

- c. ~~The~~ If a customer raises a dispute, a utility shall ensure that a responsible employee shall be of the utility, who is empowered to resolve the customer's dispute, and discusses the cause for termination with the customer before the scheduled termination date;
- d. ~~the~~ If a utility shall retain the option to determines after discussion with a disputing customer terminate service after affording this opportunity for a meeting and concluding that the reason for termination is just, the utility may terminate service to the customer, unless prohibited by subsection (A); and
- e. If a utility decides to terminate service to a disputing customer as permitted in subsection (D)(3)(d), the utility advising shall inform the customer of his the termination and of the customer's right to file a complaint with the Commission.
- 4. If a customer has designated a third party for the customer's account, a utility shall ensure that a copy of each termination notice provided to the customer is simultaneously sent to the designated third party.

E. Timing of terminations with notice

- 1. ~~Each A utility shall be required to give provide the at least five days' advance written notice required by subsection (D)(1) prior to the termination date by providing a copy of the advance notice to the customer, using the customer's preferred method of communication on file, or by placing the advance notice, with first class postage prepaid and addressed to the customer's last known address, in the U.S. mail.~~
- 2. ~~Such notice shall be considered to be given to the customer when a copy thereof is left with the customer or posted first-class in the United States mail, addressed to the customer's last known address.~~
- 3.2. ~~If after the period of time allowed by the advance notice has elapsed, and the delinquent account has not been paid nor arrangements made with the utility for the payment thereof or in the case of a violation of the utility's rules the customer has not satisfied the utility that such violation has ceased customer has not remedied the cause for termination to the utility's satisfaction, the utility shall provide the customer a final notice, two days before the termination date specified, using the customer's preferred method of communication on file. If the customer has not remedied the cause for termination after the two days have passed, and subsection (A) does not apply, the utility may then terminate service on or after the day specified in the final notice without giving further notice.~~
- 3. A utility may only terminate service after compliance with subsection R14-2-609(A)(7).
- 4. A utility shall have the right (but not the obligation) to remove any or all of its property installed on a customer's premises upon the termination of service.

F. Landlord/tenant rule. ~~In situations where~~ If service is rendered at an address different from the mailing address of the bill, or where the a utility knows that a landlord/tenant relationship exists and that the landlord is the customer of the utility, and where the landlord as a customer account becomes would

~~otherwise be subject to disconnection~~ termination of service under subsection (C), the utility may not
disconnect service until the following actions have been taken:

1. In addition to complying with subsections (D) and (E), Where it is feasible to so provide service,
the utility, after providing notice as required in these rules, shall offer the occupant the an
opportunity to subscribe for service in his or her own the occupant's name.
2. If the occupant then declines to so subscribe to service in the occupant's name, the utility may
disconnect terminate service pursuant to the rules as permitted under subsections (C) through (E).
- 2.3. A The utility shall not require or attempt to recover from a tenant or condition service to a tenant
with the payment of require an occupant to pay any outstanding bills or other charges due upon on
the outstanding account of the landlord.

G. Customer responsibility

1. A customer shall be financially responsible for any bill accrued during a period when a utility is
not permitted to terminate service to the customer under subsection (A).
2. A customer shall, within 15 days after receiving utility notice under subsection (A)(9):
 - a. Agree to pay the outstanding bill in full within 15 days after subsection (A)(6) no longer
applies, or
 - b. Enter into a payment plan to repay the delinquent bill through installments over a period
of four months after subsection (A)(6) no longer applies.

R14-2-610. Administrative and Hearing Requirements

A. Customer service complaints

1. Each utility shall make a full and prompt investigation of all service complaints made by its
customers, either whether made directly or through the Commission.
2. The utility shall respond to the complainant and/or and the Commission representative within five
working days as to the status of the utility investigation of the complaint.
3. The utility shall notify the complainant and/or and the Commission representative of the final
disposition of each complaint. Upon request of the complainant or the Commission representative,
the utility shall report the findings of its investigation in writing.
4. The utility shall inform the customer of his the right of to appeal to the Commission should the
results of the utility's investigation prove unsatisfactory to the customer if dissatisfied with the
results of the utility's investigation or the final disposition of the complaint.
5. Each utility shall keep a record of all written service complaints received which shall contain, at a
minimum, the following data:
 - a. Name and address of the complainant;
 - b. Date and nature of the complaint;
 - c. Disposition of the complaint; and
 - d. A copy of any correspondence between the utility, the customer, and/or and the
Commission.

6. This record shall be maintained for a minimum period of one year and shall be available for inspection by the Commission.

B. Customer bill disputes

1. Any utility customer who disputes a portion of a bill rendered for utility service shall, prior to the delinquent date of the bill, pay the undisputed portion of the bill and notify the utility's designated representative that the unpaid amount is in dispute.
2. Upon receipt of the customer notice of dispute, the utility shall:
 - a. Notify the customer within five working days of the receipt of a written dispute notice;
 - b. Initiate a prompt investigation as to the source of the dispute;
 - c. Withhold termination of service until the investigation is completed and the customer is informed of the results, in writing if requested by the customer; and
 - d. Inform the customer of the right to appeal to the Commission if dissatisfied with the results of the utility's investigation.
3. Once the customer has received the results of the utility's investigation, the customer shall, within five working days, submit payment to the utility for any disputed amounts. Failure to make full payment shall be grounds for termination of service.

C. Commission resolution of service and bill disputes

1. In the event a customer and utility cannot resolve a service or bill dispute, the customer shall file a written statement of dissatisfaction with the Commission. By submitting a written statement of dissatisfaction to the Commission, the customer shall be deemed to have filed an informal complaint against the utility.
2. Within 30 days of the receipt of a written statement of customer dissatisfaction related to a service or bill dispute, a designated representative of the Commission shall endeavor to resolve the dispute through communications with the utility and the customer (written or telephonic or both). If resolution of the dispute is not achieved within 20 days of the Commission representative's initial effort, the Commission shall hold an informal hearing to arbitrate the resolution of the dispute. The informal hearing shall be governed by the following rules:
 - a. Each party may be represented by legal counsel, if desired.
 - b. All such informal hearings may be recorded or held in the presence of a stenographer.
 - c. Each party shall have the opportunity to present written or oral evidentiary material to support the party's position.
 - d. Each party and the Commission's representative shall have the opportunity to cross-examine each other party.
 - e. The Commission's representative shall render a written decision to all parties within five working days after the date of the informal hearing. The written decision of the Commission's representative is not binding on any of the parties, and the parties shall retain the right to make a formal complaint to the Commission.

3. The utility may implement normal termination procedures if the customer fails to pay all bills rendered during the resolution of the dispute by the Commission.
4. Each utility shall maintain a record of written statements of dissatisfaction and their resolution for a minimum of one year and make such records available for Commission inspection.

B.D. Notice by utility of responsible officer or agent

1. Each utility shall file with the Commission a written statement containing the name, address (business, residence, and ~~post-office-mailing~~) and telephone numbers (business and residence) of at least one officer, agent, or employee responsible for the general management of its operations as a utility in Arizona.
2. Each utility shall give notice, by filing a written statement with the Commission, of any change in the information required herein within five days from the date of any such change.

C.E. Time-frames for processing applications for Certificates of Convenience and Necessity

1. This rule prescribes time-frames for the Commission's processing of any Application application for a Certificate of Convenience and Necessity ~~issued by the Arizona Corporation Commission~~ filed pursuant to this Article. These time-frames shall apply to applications filed on or after the effective date of this rule.
2. Within 30 calendar days after receipt of an application for a new Certificate of Convenience and Necessity, or to amend or change the status of any existing Certificate of Convenience and Necessity, staff shall notify the applicant, in writing, that the application is either administratively complete or deficient. If the application is deficient, the notice shall specify all deficiencies.
3. Staff may ~~terminate~~ cease its review of an application if the applicant does not remedy all deficiencies within 60 calendar days of the notice of deficiency.
4. After receipt of a corrected application, staff shall notify the applicant within 30 calendar days if the corrected application is either administratively complete or deficient. The time-frame for administrative completeness review shall be suspended from the time the notice of deficiency is issued until staff determines that the application is complete.
5. Within 150 days after an application is deemed administratively complete, the Commission shall approve or reject the application.
6. For purposes of A.R.S. § 41-1072 et seq., the Commission has established the following time-frames:
 - a. Administrative completeness review time-frame: 30 calendar days.
 - b. Substantive review time-frame: 150 calendar days.
 - c. Overall time-frame: 180 calendar days.
7. If an applicant requests, and is granted, an extension or continuance, the appropriate time-frames shall be tolled from the date of the request during the duration of the extension or continuance.
8. During the substantive review time-frame, the Commission may, upon its own motion or that of any interested party to the proceeding, ~~request a suspension of~~ suspend the time-frame rules.

F. Filing and availability of tariffs

1. Each utility shall file with the Commission, within 120 days after the effective date of new rules or requirements adopted by the Commission, or within a shorter period ordered by the Commission, tariffs that comply with the new rules or requirements adopted by the Commission.
2. Each utility shall file with the Commission any proposed changes to the utility's tariffs on file with the Commission, along with a statement of justification supporting the proposed changes.
3. A utility's proposed change to the utility's tariffs on file with the Commission shall not become effective until reviewed and approved by the Commission, except as provided for by law.
4. Each utility shall make its applicable tariffs available on its website and, upon request, either in paper form or in a readily accessible electronic format such as Adobe PDF.

D.G. Accounts and records

1. Each utility shall keep general and auxiliary accounting records reflecting the cost of its properties, operating income and expense, assets and liabilities, and all other accounting and statistical data necessary to give complete and authentic information as to its properties and operations.
2. Each utility shall maintain its books and records in conformity with the NARUC Uniform Systems of Accounts for Class A, B, C and D Sewer Utilities.
3. A utility shall produce or deliver in this state any or all of its formal accounting records and related documents requested by the Commission. It may, at its option, provide verified copies of original records and documents.
4. All utilities shall submit an annual report to the Commission, through the Utilities Division Compliance Section, on a form prescribed by it. The annual report shall be filed on or before the 15th day of April for the preceding calendar year. ~~Reports~~ If the utility has received a report on the utility prepared by a certified or licensed public accountant on the utility, if any, the utility shall accompany the include a copy of the report with its annual report submission.
5. All utilities shall ~~file with~~ submit to the Commission, through the Utilities Division Compliance Section, a copy of all reports required by the Securities and Exchange Commission.

E.H. Maps. All utilities shall file with the Commission a map or maps clearly setting forth the location and extent of the area or areas they hold under approved certificates of convenience and necessity, in accordance with the Cadastral (Rectangular) Survey of the United States Bureau of Land Management, or by metes and bounds with a starting point determined by the aforesaid Cadastral Survey.

F.I. Variations, exemptions of Commission rules and regulations. Variations or exemptions from the terms and requirements of any of the rules included herein (Title 14, Chapter 2, Article 6) shall be considered upon the verified application of an affected party to the Commission setting forth the circumstances whereby the public interest requires such variation or exemption from the Commission rules and regulations. Such application will be subject to the review of the Commission, and any variation or exemption granted shall

require an order of the Commission. In case of conflict between these rules ~~and regulations~~ and an approved tariff or order of the Commission, the provisions of the tariff or order shall apply.

- G.J.** Prior agreements. The adoption of these rules by the Commission shall not affect any agreements entered into between the utility and customers or other parties who, pursuant to such contracts, arranged for the extension of facilities in a provision of service prior to the effective date of these rules.

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